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ABSTRACT

This bibliography represents the latest in a series of publications which expand coverage of retrospective and current references regarding labor relations that affect the numerous constitutencies within higher education. The compilation includes 992 citations with reference to: (1) Affirmative Action, (2) Arbitration Awards, (3) Court Cases, (4) NLRB Decisions, (5) PERB Decisions, and (6) State and Federal Legislation. Included among the references are books, journals, newsletter articles, unpublished speeches and research, as well as relevant material from the Government Relations Report (GERR), and Labor Relations Reference Manuals (LRRM, LRR). The document includes and Author-Person Index and a Keyword-Subject Index which provide cross reference to the user. (Author/JMF)

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Collective Bargaining in Higher Education

Compiled by
Daniel J. Julius and John C. Allen

With Reference to:

- Affirmative Action
- Arbitration Awards
- Court Cases
- NLRB Decisions
- Public Employee Relations Board Decisions
- State and Federal Legislation
- Keyword Index

Bibliography No. 3 April 1975

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COLLECTIVE BARGAINING

IN HIGHER EDUCATION

Bibliography No. 3 April, 1975

Compiled by Daniel J. Julius
and John C. Allen

Further reference to the bibliographies in Volume 2 (1974) of the National Center's Newsletter is unnecessary, since citations have been cumulated herein. In addition, some 560 references not in the Newsletter have been added.

References in this bibliography have not been included in earlier volumes.

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P R E F A C E

Since our inception in the summer of 1972, the National Center for the Study of Collective Bargaining in Higher Education has developed a series of publications and information exchange structures which will move us toward the goals set forth in our conceptual statement. Our annual conferences now draw an audience from a wide area within the continental United States, Hawaii, Puerto Rico and Canada. Statistics developed by the Center's library are regularly used by the Chronicle of Higher Education and other national publications. Our Newsletter has a growing subscription list. Our computerized contract file and other primary source data provide aid for those who are preparing for bargaining or doing contract content research.

In keeping with our responsibility to serve as an information clearinghouse, the Third Annual Bibliography, Collective Bargaining in Higher Education, April 1975, represents the latest in a series of publications which expand coverage of retrospective and current references regarding labor relations that affect the numerous constituencies within higher education.

This compilation includes citations to NLRB and Court Rulings, PERB Decisions, and Arbitration Awards. Included among the references are books, journals, newsletter articles, unpublished speeches and research, as well as relevant material from the Government Employee Relations Report (GERR), and Labor Relations Reference Manuals (LRRM, LRR).

All National Center bibliographies include an Author-Person Index and a Keyword-Subject Index which provide cross-references to the user. The reader may also note that references are made to

citations not included in this bibliography but indexed in the Center's other publications: Collective Bargaining in Higher Education Volumes I and II (April 1973 and 1974); and Higher Education Collective Bargaining: Other Than Faculty Personnel, Volume I (December 1974). (Such topics include state and federal legislation, pensions, affirmative action, arbitration procedures, etc.)

Large quantities of research and litigation material are generated each month and merely keeping abreast is a full-time occupation. Readers are, therefore, encouraged to supplement the present bibliography with other Center publications to gain additional information into selected and related areas of concern.

Information detailing the National Center's publications, services and contract file and computer system is incorporated at the end of this bibliography.

Additions and corrections to this bibliography are appreciated. The Center solicits copies of published and unpublished material to be included in future bibliographies, or for publication in the Center's Newsletter. We would welcome reprints of all appropriate articles, briefs, arbitration/fact-finding awards, NLRB, PERB decisions, etc.

No preface is complete without acknowledgement by the authors of the assistance and efforts of our fellow employees. We appreciate the advice and encouragement we received from Dr. Thomas Mannix, Acting Director of the Center; the supervision of clerical and administrative matters by Mrs. Evan Mitchell; and the typing of the manuscript by Carol Kenny, Annie Polite and Mary Ziegler.

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ACADEMIC FREEDOM

1 "AAUP Withholds Its (Academic) Freedom Award" for third time in last four years. Chronicle of Higher Educ., 8(30): 11, April 29, 1974.

2 "California Regents Approve Conduct Code for Faculty." Chronicle of Higher Educ., 8(36): 2, June 24, 1974.

3 Carter, R. S., Letter to the Editor. "An Additional Culprit in the Degeneration of Academic Freedom: Board of Trustees." Chronicle of Higher Educ., 8(25): 14, March 25, 1974.

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C.L.S. which has been torn by a bitter doctrinal quarrel in Lutheran Church Missouri Synod has been placed on probation until 1976 by the American Association of Theological Schools.

5 Semas, P. W. "AAUP Likely to Censure College That Dropped Tenure." Chronicle of Higher Educ., 8(29): 3, April 22, 1974.
Regarding the abolishment of tenure at Bloomfield College, four-year private institution in New Jersey.

6 "6 Academic Freedom Cases." Chronicle of Higher Educ., 8(38): 8, 9, July 22, 1974.
In each, an aggrieved professor seeks redress.

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8 Paltridge, J. G., J. Hurst and A. Morgan. Board of Trustees: Their Decision Patterns, Report on Research (at 4 public colleges). Center for Research and Development in Higher Education., University of California, 2150 Shattuck Avenue, Berkeley, Ca. 94704, $3.00.

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9 Scully, M. G. "University Presidents are Found Living in World of Ambiguities." Chronicle of Higher Educ., 8(14): 1, 6, December 24, 1973.
Carnegie Commission on Higher Education study entitled "Leadership and Ambiguity: The American College President."

ADMINISTRATION - NO UNION POSITION PAPERS

10 Series of five lengthy memorandums from Dick Netzer of NYU regarding the election of the NYU Faculty and Librarians concerning union representation. October to December, 1973. 47 pp. (Available from this Center.)

AFFIRMATIVE ACTION

11 Adams, S and N. Barber. Affirmative Action Recruitment Directory: Human Resources in Higher Education. Western Interstate Commission for Higher Education, P.O. Drawer P, Boulder, Colo. 80302, $5.00.
Aimed at assisting institutions of higher education in identifying members of minority groups and women interested in pursuing careers of teaching or administration in higher education.

12 Affirmative Action Guidebook. EEOC, P.O. Box 1612, Springfield, Va. 20402; free in limited quantities.
This guidebook outlines the legal basis for the government's equal employment opportunity laws and orders and the basic steps employers should take to develop programs that will put them in compliance.

13 Bender, M. "Job Discrimination, 10 Years Later: Layoffs Creating Conflict Between Seniority Systems and Equality Objectives." New York Times, Section 3, November 10, 1974, p. 1.

14 Boffey, P. M. "University of Washington Threatened with Loss of Federal Contracts." Chronicle of Higher Educ., 8(27): 7, April 8, 1974.

15 Combating Discrimination in the Schools: Legal Remedies and Guidelines. NEA. 32 pp. 1973.

16 "Controversial Portions of U. S. Rules Against Sex Discrimination." Chronicle of Higher Educ., 8(37): 9, July 8, 1974.
Article contains the more controversial portions of the HEW's guidelines forbidding sex discrimination at colleges and universities.

17 "EEOC, AFL-CIO Self-Enforcement Agreement." News and Background Information, 87-LRR-142 to 143.
House hearings look into proposed plan.

18 "Equal Opportunity for Women Conference." News and Background Information, 85-LRR-171 to 173.
Voluntary compliance procedures are favored over courtroom confrontations.

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Despite some gains, critics find it's still marred by campus tokenism and government ineptitude.

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A congressional panel begins sorting out the complaints.

21 Fields, C. M. "Are Job 'Goals' Quotas?" Chronicle of Higher Educ., 9(4): 7, October 15, 1974.
Congress looks at affirmative action on campus and revives a smoldering controversy.

22 Fields, C. M. "Colleges Told: Hire the Best Qualified." Chronicle of Higher Educ., 9(14): 1, 8-9, December 23, 1974.
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Two federal agencies authorized to probe employment discrimination will mesh their anti-bias efforts.

24 Fields, C. M. "2,000 Guideline Critics." Chronicle of Higher Educ., 9(5): 7, Oct. 21, 1974.
Anti-sex-bias rules draw heavy response.

25 Fields, C. M. "U. S. Publishes Its Anti-Sex-Bias Guidelines for Colleges But Delays Enforcement; Textbooks Are Not Affected." Chronicle of Higher Educ., 8(36): 1, 4, June 24, 1974.
HEW expects rules won't take effect before January 1.

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26 "Handicapped Workers Affirmative Action Rules." News and Background Information Section, 86-LRR-129 to 131.
Labor department has issued regulations covering hiring of the handicapped by government contractors.

27 "HEW Seeks Rights Data at Vocational Schools." Higher Educ. and National Affairs, 23(7): 7, February 15, 1974.

28 Hobart, T. What Price Quotas? N. Y. S. United Teachers, 80 Wolf Rd., Albany, N. Y. 12205.
"Hobart Tells NEA State Presidents Quotas Set Back Drive for Equality" and could jeopardize tenure. New York Teacher, 16(16): 16, December 15, 1974.

29 Journal of College and University Law, The. 1(1) Fall 1973.
Articles in this issue cover affirmative action, equal employment opportunity in higher education, litigation of fair employment practices, federal administration, equal employment and the DeFunis Case.

30 LaNoue, George R. "The Future of Antidiscrimination Enforcement." Change Magazine, 6(5): 44-45, June, 1974.
Essay on the potential scope and extent of federal antidiscrimination legislation in higher education.

31 Lester, Richard A. Antibias Regulation of Universities: Faculty Problems and Their Solutions. Report by the Carnegie Commission on Higher Education, McGraw-Hill Book, Co., Ave. of the Americas, New York 10020, $4.95.

32 Maloney, C. Letters to the Editor. Chronicle of Higher Educ., 9(9): 10, November 18, 1974.
Are "equal opportunity" and "affirmative action" mutually contradictory terms?

33 "OFCC Hearings on Fringe Benefits in Sex Guidelines." News and Background Information, 86-LRR-315 to 316.
Consideration of comments on alternative proposals in guidelines.

34 "Poll Obtains Opinions on Affirmative Action." Higher Educ. and National Affairs., 23(6): 12, February 8, 1974.

35 "Re-emergence of Racial and Ethnic Discrimination. A." Chronicle of Higher Educ., 8(40): 2, August 19, 1974.

Anti-Defamation League of B'Nai B'rith charges that the federal government had failed to prevent preferential treatment and quota systems despite "the prohibitions against preferential treatment in the 1964 Civil Rights Act."

36 "Rights Pact Offered by University of Washington" after warning of revocation of all federal contracts. Chronicle of Higher Educ., 8(32): 2, May 13, 1974.

37 "Rutgers Pays $369,000 In Discrimination Damages in Past Year." 1974-GERR-560: B-4 to B-8.

HEW also issues proposal for enforcement of law banning sex discrimination by educational institutions receiving federal aid and solicits comments on rule to take effect in early 1975.

38 Sagnet, Charles J. "The University of Minnesota: The Uncertain Progress of Affirmative Action." Change Magazine, 6(4): 37-42, May, 1974.

The author describes his institution's experience with compliance and wonders, now that the crash-program period is past, what the next phase will be.

39 Scully, M. G. "Affirmative Action Scored." Chronicle of Higher Educ., 8(37): 8, July 8, 1974.

Study calls it a threat to faculty quality and morale. Article cites R. A. Lesters' Carnegie Study.

40 "Shanker Urges Affirmative Action Through Better Training, More Jobs on Campuses." American Teacher, 59(2): 22, Oct., 1974.

41 Sievert, W. A. "Relaxed Colossus on Puget Sound." Chronicle of Higher Education, 8(37): 3, July 8, 1974.

Major crisis - a threatened cut-off of federal funds, battles in the courts and the legislature - hardly ripple the University of Washington's calm.

42 "State Data Packets for Affirmative Action Programs." Labor Relations Reporter, News and Background Information Section, 85-LRR-169 to 170.

43 Tobias, Sheila. "Antibias Regulations of Universities: Faculty Problems and Their Solutions by Richard A. Lester." Change Magazine, 6(9): 56-57, November 1974.

Insightful book review.

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44 Treaster, Joseph B. "Rutgers University to Compensate 210 For Bias on Salary." New York Times, 1:5, June 7, 1974.

45 Weaver, J. Letters to the Editor. Chronicle of Higher Educ., 9(12): 11, December 9, 1974.
"Shed no tears for the disadvantages of men."

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47 Winkler, K. J. "In 3 of 4 Key Elements in Desegregation, Notable Progress." Chronicle of Higher Educ., 8(37): 4, July 8, 1974.
Summary of actions by the federal government.

48 Winkler, K. J. "$10,000 Bonuses Offered Teachers to Push Florida Desegregation." Chronicle of Higher Educ., 9(10): 2, November 25, 1974.

49 "Women's Groups Sue U. S. Over Aid to 'Sex-Biased' Colleges." Chronicle of Higher Educ., 9(11): 5, December 2, 1974.

AGENCY SHOP

50 "Public Employees Explain Opposition to Agency Shop." 1974-GERR-554:2, B-11 to B-12.
Teachers and other public employees tell why they are fighting union membership or agency shop service fees in court actions around country.

AGENTS

51 "AAUP Defeats AFT In Rerun Vote at Eastern Michigan University." 1974-GERR-548: B-20 to B-21.
Controversy surrounds MERC, the bargaining unit description and court of appeals outline of MERC's responsibilities in such an election dispute.

52 "AAUP-NEA Coalition Replaces AFT as Bargaining Agent for Hawaii Faculty." 1974-GERR-579: B-11 to B-14.

53 "AAUP-NEA Coalition Wins 47 Percent of (U. of) Hawaii Faculty Vote." Chronicle of Higher Educ., 8(26): 1, April 1, 1974.

AGENTS (Cont.)

54 "AAUP Wins 2 Elections; AFT, One." Chronicle of Higher Educ., 8(27):6, April 8, 1974.
AAUP defeats AFT at Eastern Michigan and Fairleigh Dickinson Universities. AFT wins election at New England College a private four-year institution in New Hampshire. New York, Syracuse, and Villanova Universities and at the University of Detroit defeat AAUP and reject collective bargaining.

55 "AFT Defeats NEA Twice in Pacific Northwest." Chronicle of Higher Educ., 8(36): 2, June 24, 1974.
Portland Community College in Oregon and Shoreline Community College in Seattle elect AFT agents.

56 "Campus Notes." Chronicle of Higher Educ., 9(14): 2, December 23, 1974.
Faculty members at the University of Colorado have voted in favor of collective bargaining, while professors at the University of Toledo (Ohio) have rejected it. Neither Colorado nor Ohio has public-employee bargaining laws, so both elections were held under rules established by the universities' governing boards.

57 "Campus Notes." Chronicle of Higher Educ., 9(9): 2, November 18, 1974.
Faculty members at the University of Cincinnati have chosen the AAUP as their bargaining agent.

58 "Campus Notes." Chronicle of Higher Educ., 9(8): 2, November 11, 1974.
Faculty members at the University of Miami have rejected collective bargaining.

59 "Campus Notes." Chronicle of Higher Educ., 9(4): 2, October 15, 1974.
Coker College Faculty (S.C.) withdraws bargaining petition; the faculty of Robert Morris College (Penn.) selected the AFT as its agent; Faculty at Ricker College (Me.) rejected the AFT; strikes settled by campus workers have been settled at MIT and at the University of Chicago. Both actions concerned wage increases.

60 "Dean Junior College (Mass.) turns down bargaining 33 to 18." NLRB Case No. 1-RC-13144. NLRB Election Report, ER-148: 18, June 11, 1974.

AGENTS (Cont.)

61 "Detroit (U.of) Faculty Rejects Collective Bargaining," resolved Oct., 1973 vote by NLRB. Chronicle of Higher Educ., 8(26): 2, April 1, 1974.

62 "1800 Univ. of Minn. Grad. Assistants to Vote if They Wish to be Represented by the Univ. of Minn. Federation of Teachers." Higher Educ. and National Affairs, 23(9): 7, March 1, 1974.

63 Fairleigh Dickinson University votes for AAUP agent in unit of 447. NLRB Case No. 22-RC-05310. NLRB Election Report, ER-149: 35, July 22, 1974.

64 Grahm Junior College, Mass. chooses AFT unit of 32. NLRB Case No. 1-RC-13135. NLRB Election Report, ER-149: 18, July 22, 1974.

65 Marymount College of Virginia votes for an Independent agent in a unit of 35. NLRB Case No. 5-RC-08944. NLRB Election Report, ER-153: 34, January 9, 1975.

66 Mercy College, New York. Election results in dispute. NLRB Decision covering 42 votes for; against 41, Case No. 2-RC-16181. NLRB Election Report, ER-153: 34, January 9, 1975.

67 New England College (New Hampshire) votes for bargaining in AFT unit of 94. NLRB Case No. 1-RC-13107. NLRB Election Report, ER-148: 18, June 11, 1974.

68 New York University Law School votes for Independent agent in unit of 76. NLRB Case No. 2-RC-15757. NLRB Election Report, ER-149: 30, July 22, 1974.

69 New York University turns down bargaining 507 to 404. NLRB Case No. 2-RC-15719. NLRB Election Report, ER-146: 18, May 9, 1974.

70 Semas, P. W. "Recent Collective-Bargaining Actions." Chronicle of Higher Educ., 9(7): 3, November 4, 1974.
The Univ. of Hawaii voted to replace the AFT with a group affiliated with both the AAUP and NEA; the faculty of Kansas State College selected the NEA as its agent; the AAUP was named the bargaining agent for Union College (N.J.); faculty members and librarians at Cooper Union (N.Y.C.) voted to be represented by the merged New York AFT-NEA; Univ. of Scranton faculty chose an independent organization which had already negotiated two contracts for the faculty but had never been officially certified by the NLRB; the faculty of the Grand Valley State Colleges (Mich.) rejected collective bargaining; an election at Trocaire College (N.Y.) a two-year Catholic institution remains in doubt.

AGENTS (Cont.)

71 "Teaching Assistants Vote to Unionize at Univ. of Michigan." Chronicle of Higher Educ., 8(30): 2, April 29, 1974.
Grahm Jr. Coll. in Mass. selects AFT, while TA's at Mich. voted for independent union.

72 "Unions-Campus bargaining elections and strike actions." Chronicle of Higher Educ., 9(2): 2, Sept. 30, 1974.
"Middle Management" administrators at the Univ. of Rhode Island have voted to unionize; Faculty members at the Univ. of Alaska selected the AFT as their agent; the NEA won an election at three campuses of the Delaware Technical and Community College system; the faculty of Marymount College of Virginia, a two-year Catholic institution voted to be represented by an independent agent; about 800 non-faculty were on strike last week at MIT; faculty members struck Wayne County Community College in Michigan for four days before an agreement was reached.

73 "U. of Mich. Teaching Assistants vote 807 to 425 to Unionize." 1974-GERR-550: B-20.
T.A's at Ann Arbor select the Graduate Employees Organization as their exclusive agent. Major demands of the union are reported to be waiver of tuition, cost-of-living increases in their stipend, and limit on class size.

74 "Where College Faculties Have Chosen Or Rejected Collective Bargaining Agents." Chronicle of Higher Educ., 8(35): 24, June 10, 1974.
Extensive fact-file compiled by various organizations involved in collective bargaining and higher education.

ARBITRATION AWARDS

Awards listed in Arbitration in the Schools or with an AAA Case No. may be obtained for 30¢ per page from American Arbitration Association, 140 West 51st Street, N.Y., N.Y. 10020.

ARBITRATION AWARDS - CALIFORNIA

75 University of California, R. S. Montes vs. 1974-GERR-577: C-1.
Arbitrator denies grievance of counselor who wanted job back after terminating in order to return to school on full-time basis. (June 15, 1974.)

ARBITRATION AWARDS - COLORADO

76 Loretto Heights College and Faculty Association.

Retrenchment (Lay-off) without faculty participation in the decision was not a violation of the contract, although there had been a type of past-practice of faculty making recommendations concerning reduction in force. (August 15, 1974.)
Arbitration in the Schools, 59:5, Jan. 1, 1975.
AAA Case No. 59-11, 20 pp.

ARBITRATION AWARDS - ILLINOIS

77 Sauk Valley (Ill.) College Board of Trustees and FAculty Association.

The College was not obligated to change the salary step and placement and the rank of a faculty member notwithstanding that the grievant presented evidence that the number of years of his professional experience had been incorrectly recorded when he was hired in 1970. (May 22, 1974.)
Arbitration in the Schools, 56:7, Oct. 1, 1974.
AAA Case No. 56-JM-16, 12 pp.

ARBITRATION AWARDS - MICHIGAN

78 Ferris State College and Faculty Association.

The policy set forth in an executive memorandum which required that faculty members must obtain permission before accepting outside employment was considered reasonable in light of contractual language which gave the college the authority to adopt "reasonable policies" that were in agreement with state and federal laws. (November 2, 1974.)
Arbitration in the Schools, 60:8, Feb. 1, 1975.
AAA Case No. 60-21, 11 pp.

79 Washtenaw Community College Board of Trustees and Education Association.

The Board did not violate the contract when it assigned part-time employees to register students over the telephone instead of using full-time counselors. (July 10, 1974.)
Arbitration in the Schools, 58:4, Dec. 1, 1974.
AAA Case No. 58-W-6, 7 pp.

80 Wayne County Community College Board of Trustees and Federation of Teachers.

A grievance pertaining to the work year and proper pay for guidance counselors was arbitrable, even though the college had orally protested the timeliness of the grievance when it was filed. The arbitrator found that the timeliness was a "jurisdictional defect" which required any objections to be made in writing or be deemed waived. (January 15, 1974.)
Arbitration in the Schools, 52:4, June 1, 1974.
AAA Case No. 52-AF-5, 13 pp.

ARBITRATION AWARDS - NEW JERSEY

81 Middlesex County College and American Federation of Teachers.

Although the grievant waited over three years before filing a grievance alleging that the college violated the contract by hiring a new professor at a salary higher than she was receiving, the issue was not barred by laches as the college had claimed. (May 10, 1974.)
Arbitration in the Schools, 56:5, Oct. 1, 1974.
AAA Case No. 56-AJ-9, 8 pp.

ARBITRATION AWARDS - NEW YORK

82 CUNY. Index, Digest and Tables of Arbitration and Court Cases Arising Under Collective Agreements Covering Instructional Staff. Vol. 1, 1974. Cases from September 1, 1969 through January 31, 1974. $30.00 to full subscribers; $50.00 to others. Available from this Center.

83 CUNY Board of Higher Education and PSC.

Non-reappointment of certified lecturer for unsatisfactory performance - Right to due process procedure in non-reappointment - Certification equated with tenure status. (July 29, 1974.)
Arbitration in the Schools, 57:6, Nov. 1, 1974.
AAA Case No. 57-D-11, 28 pp.

84 CUNY Board of Higher Education and PSC.

Concerns arbitrability-procedure for reappointment of lecturers and certification process for lecturers' reappointment. (June 12, 1974.)
Arbitration in the Schools, 56:3, Oct. 1, 1974.
AAA Case No. 56-AD-2, 7 pp.

85 Hudson Valley Community College and Faculty Association.

College faculty advised to accept coverage assignments of absent instructors. (February 21, 1974.)
Arbitration in the Schools, 54:4, Aug. 1, 1974.
AAA Case No. 54-K-4, 8 pp.

86 SUNY - Albany Campus
"UUP (United Univ. Professions) Regains Faculty Rights at SUNY Albany Campus." New York Teacher, 15(28): 30, March 17, 1974.
Just prior to arbitration, N.Y.S. agrees to restore faculty parking rights.

ARBITRATION AWARDS - PENNSYLVANIA

87 Community College of Philadelphia and Faculty Federation.

Vacation pay received deducted from final pay check upon resignation. (Feb. 28, 1974.)
Arbitration in the Schools, 52:6, June 1, 1974.
AAA Case No. 52-F-10, 5 pp.

ARBITRATION AWARDS - RHODE ISLAND

88 Univ. of Rhode Island and AAUP.

Arbitrability-waiver of contractual bar to arbitration - Involuntary assignment of University professor to teach at Extension Division. (Feb. 26, 1974.)
Arbitration in the Schools, 53:5, July 1, 1974.
AAA Case No. 53-AW-9, 9 pp.

89 Univ. of Rhode Island and AAUP.

Promotion of associate professor to full professor. The negative peer evaluation was held to be of little merit by all parties where the chairman acknowledged the existence of interpersonal difficulties in the grievant's department. (August 16, 1974.)
Arbitration in the Schools, 59:6, Jan. 1, 1975.
AAA Case No. 59-15, 21 pp.

90 Univ. of Rhode Island and AAUP.

Denial of promotion from assistant to associate professor by Acting President did not violate contract where the agreement gave the President the authority to act upon recommendations for promotion and where the contract did not grant automatic promotion. (Sept. 4, 1974.)
Arbitration in the Schools, 59:7, Jan. 1, 1975.
AAA Case No. 59-16, 9 pp.

ARBITRATION/FACT-FINDING AWARDS - NEW YORK

91 Finger Lakes Community College and Faculty Association.

Recommends faculty enter into a 2-year contract with 8.4% increase each year; grant a five-year continuing appointment after probationary period. (Oct. 30, 1974.)
Arbitration in the Schools, 60:5, Feb. 1, 1975.
AAA Case No. 60-10, 14 pp.

ARBITRATION PROCEDURES

92 "Approval of NLRB's Collyer Doctrine." Labor Relations Reporter, Summary of Developments, 85(17): 1 March 4, 1974.

A second Court of Appeals approves the NLRB's Collyer Doctrine which grants an opportunity to settle through arbitration machinery a dispute that is cognizable under a contract.

93 "Arbitration and Race Or Sex Discrimination." News and Background Information, 86-LRR-27 to 34.

U.S. Supreme Court ruling said to indicate need for restructuring of grievance-arbitration process.

94 "Arbitration Reports Experiments to Cut Hearing Time and Cost." 1974-GERR-557: 2, B-1 to B-6.

Mighigan arbitrator reports on recent experiments to minimize incidence of grievance arbitrations and reduce time-cost factor, including pre-hearing joint stipulations, "speaker-phone" hearings which cut travel and lodging costs, and scheduling several hearings in same locale on same day at reduced fees. He suggests AAA, FMCS, and state public employment relations agencies could arrange scheduling and service functioning on such programs.

95 Benewitz, M. C. "Discharge, Arbitration and the Quantum of Proof." Arbitration Journal, 28(2): 95-104, June, 1973.

96 Benewitz, M. C. "A Modest Proposal for Improving College Arbitration." Arbitration Journal, 29(1): 43-49, March, 1974.

97 Brennan, Peter J. and Eugene F. Berrodin. "Compulsory Arbitration: A Dialogue." Public Personnel Management, 3(2): 100-103, March-April, 1974.

Excerpts from letters, concerns a workable definition of the term.

98 "Checklists on Mediation, Fact-Finding and Arbitration, and Preparation for Bargaining." 1974-GERR-577: G-1 to G-2.

Checklists were included as part of a discussion paper on "Preparation for and Participation in Mediation, Fact-Finding, and Contract Arbitration" presented at the International Personnel Management Association annual conference.

ARBITRATION PROCEDURES (Cont.)

99 Gross, J. A. The Labor Arbitrator's Role: Tradition and Change. N.Y.S. School of Industrial and Labor Relations, Cornell Univ., Reprint No. 299. 13 pp.

100 "Increased Use of Arbitration for State Employees Commended." 1974-GERR-550; B-19.
AAA agents are finding an increased interest in expedited grievance arbitration among organizations representing state employees.

101 "The Issue of Arbitrability - Authority of Courts to Determine Issue." 1974 Labor Relations Expiditer - 23 to 24 (LR and LA - Q4.09). Part of the LRRM publication from BNA.
Exploration of legal concept of arbitrability.

102 Long, G. and P. Feuille. "Final Offer Arbitration: Sudden Death of Eugene." Industrial and Labor Relations Review, January 1974. Published by Cornell Univ., ILR School, Ithaca, N.Y. 14850. Full text of article published in 1974-GERR-547: E-1 to 15.

103 "Maine's Uniform Arbitration Act Governs Grievances." 1974-GERR-573; B-2 to B-5.
The state legislature intended that grievance arbitrations for public employees be handled under uniform Arbitration Act, which also covers private employees, rules Maine Supreme Court. It finds procedures under Municipal Public Employee Labor Relations Act limited to impasse arbitration, and thus upholds order for reinstatement of dismissed teacher. (Total quote.)

104 Mintz, Bernard and Allan Golden. "Faculty Collective Bargaining and the Arbitral Process." Journal of Coll. and Univ. Personnel Assoc., 25(3), July-August, 1974.
The emergence of faculty collective bargaining in colleges and universities has brought the industrial process of arbitration into the academic arena. This article examines one institution's experience with this process.

105 "Modification of Collyer Guidelines." Labor Relations Reporter, News and Background Information Section, 85-LRR-65 to 67.
NLRB General Counsel modifies guidelines for deferral to arbitration in cases of refusal to furnish information.

ARBITRATION PROCEDURES (Cont.)

106 "More Use of Final Offer Arbitration Urged on Basis of Successful Use in Eugene, Oregon." 1974-GERR-547, 2, B-6 to 7, Text E-1 to 15.

107 Murphy, Michael A. and Michael A. Sterlacci. "A Review of the National Labor Relations Board's Deferral Policy." Fordham Law Review, 42(2), December, 1973.

108 "NAA Panel Considers Public Sector Interest Arbitration, Bargaining Scope." 1974-GERR-553: 2, B-14 to B-16.
Interest arbitration of bargaining dispute has arrived as "respectable option to the strike route," A. Anderson tells public sector panel session of NAA.

109 "Study of Influences in Successful Arbitration." News and Background Information, 86-LRR-151 to 154.
Seven factors examined as to effect on management or union awards.

110 Teple, E. R. "Deferral to Arbitration: Implications to NLRB Policy." Arbitration Journal, 29(2): 65-97, June, 1974.

111 Yaffee, B. and H. Goldblatt. Factfinding in Public Employment Disputes in New York State: More Promise than Illusion. N.Y. S. School of ILR, Cornell University. ILR Paperback No. 10, June 1971. 132 pp. $2.50.

BARGAINING UNITS

112 "Advisory Commission to Michigan CSC Issues Recommendation for 11 Units of State Employees." 1974-GERR-547, 2, B-12 to 15.
Public hearings included representatives for employee associations and unions, personnel directors, Michigan State University, etc.

113 Ogawa, D. T. and J. M. Najita. Guide to Statutory Provisions in Public Sector Coll. Barg.: Unit Determination. Ind. Rel. Center, Coll. Bus. Admin., U. of Hawaii, 1973. $1.00. 74 pp. (Second Issue 1974. $2.25. 91 pp.)
Summary of statutes through 1972 (1973) on appropriate unit in private, federal and state/local sectors; covering administering agencies, exclusion of employees, separate units and other limitations.

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114 Allen, J. C. and D. J. Julius., comps. Higher Education Collective Bargaining: Other than Faculty Personnel. Vol. 1, 1974. $3.00. Available form this Center.
Covers some 250 references related to non-faculty, especially arbitration awards, court cases, NLRB decisions and PERB decisions. Keyword index.

115 Tice, T. N. Resources on Academic Bargaining and Governance. ERIC Clearinghouse on Higher Educ., George Washington U., Washington, D.C. 20036. 1974.
Covers some 200 references on public sector labor law; coll. barg. and governance in higher education. Keyword index.

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116 Carnegie Commission Expires After Six Years, 21 Reports. Higher Educ. Daily, October 10, 1973, p. 1.

117 The Carnegie Higher Education Prognosis: Curably Ill. Higher Educ. Daily, Oct. 10, 1973, p. 4.

118 The Carnegie Higher Education Prognosis: Curably Ill - II. Higher Educ. Daily, October 11, 1973, p.3.

119 The Carnegie Higher Education Prognosis: Curably Ill - III. Higher Educ. Daily, October 12, 1973, p. 4.

120 Clark Kerr Chides Doomsayers. Higher Educ. Daily, October 15, 1973, p. 1.

121 Digest of Reports of the Carnegie Commission on Higher Education, A. McGraw-Hill Book Co., 1221 Ave. of Americas, New York 10020; $15.00.
Summarizes reports and contains index to recommendations and suggested assignments of responsibility for action.

122 Hanson, Harold P. Letter to the Editor. Chronicle of Educ., 8(41): 8, Sept. 3, 1974.
Carnegie Commission reports are indicted: "Most of little value, some dangerous."

123 Magarrell, J. "Power: Its Higher Education's Insiders vs. Outsiders, A Study Says." Chronicle of Higher Educ., 8(38): 2, July 22, 1974.
Summary of E. Gross' and P. V. Grambsch's report; Changes in University Organization 1964-1971.

124 "New Carnegie Council, Under (Clark) Kerr, To Study Higher Ecucation Issues." Chronicle of Higher Educ., 8(16): 1, 6, January 21, 1974.
Topics include faculty development, including changing patterns and policies on retirement, tenure, and collective bargaining.

COLLECTIVE BARGAINING

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This study applies social judgment theory and interactive computer graphics to labor-management negotiations. It is based on a re-enactment of actual negotiations.

126 "Bargaining in Higher Education Explored at New York City Conference." 1974-GERR-2, B-15 to B-19.

Collective bargaining on campus was subject of addresses delivered at second annual conference of this Center.

127 Begin, J. P. Academics at the Bargaining Table: Early Experience. Institute of Management and Labor Relations Library, Rutgers Univ., New Brunswick, New Jersey 08903. 1973. 81 pp.

Covers its impact, governance, grievance procedures.

128 Bierstedt, B. "Representation of Economic Interests." AAUP Bulletin, 52:230, Summer, 1966.

129 Bond, L. "The Impact of Collective Bargaining on the Quality of Instruction.: Cassette Tape. AAHE Conference Cassettes, Current Infor. Systems, P. O. Box 23, Hyattsville, Md. 20781.

A 50-minute tape by the co-director of the U. of Calif. Student Lobby, discussing student concerns relative to coll. barg.

130 Coe, A. C. "Implications of Collective Bargaining for Students and Student Personnel Administrators." National Association of Student Personnel Administrators Journal, 11: 9-18, October 1973.

131 Collective Bargaining in Postsecondary Educational Institutions: Applications and Alternatives in the Formulation of Enabling Legislation. Education Commission of the States, 1860 Lincoln St., Suite 300, Denver, Colorado 80203. 1974. Report 45. $3.50. 104 pp.

Covers collective bargaining impact; federal and state laws through Jan., 1974; governance, public policy issues; component parts of legislation (types, scopes, coverage, administration, recognition, unit determination, procedures, impasse resolution, admin. of contract); and glossary.

132 "Colorado Ruling Says Regents May Bargain With Univ. Faculty." 1974-GERR-558; B-16.

133 Community at the Bargaining Table, The. Institute for Responsive Education, Boston Univ., 704 Commonwealth Ave., Boston, Mass. 02215. $3.00.
Offers alternatives to "closed" system of coll. barg.

134 Cross, J. G. The Economics of Bargaining. New York, Basic Books, 1969. 247 pp. $8.95.
Discusses the cost of negotiation in terms of time and money, how to modify expectations during negotiations and how this determines the kind of concessions each side is prepared to make to reach a settlement. Also discusses arbitration, impact of strikes, role of bluffing and dirty tricks.

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Papers presented at a conference on women's rights in academe, faculty collective bargaining and the courts and academic affairs.

136 Doh, H. and S. Johnson. "Collective Bargaining in SUNY." This Center's Newsletter, 2(3): 1-5, May/June, 1974.
Summary of study published in Journal of the Coll. and Univ. Personnel Assoc. 25(2), April, 1974. Surveys SUNY union leaders, consultation and grievance experience.

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139 Haug, M. R. and M. B. Sussman. "Professionalization and Unionism: A Jurisdictional Dispute?" American Behavioral Scientist, 14: 525-540, March, 1971.

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Published by the NEA, this issue of the Advocate is devoted to quotas, retrenchment, AFT-NEA rivalry, academic due process, and NEA collective bargaining activities. Available from National Education Assn. 1201 16th Street, N.W., Washington D.C. 20036. (202 - 833-4262)

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142 Insights Into Higher Education: Selected Writings of CSHE, 1969-73. Vol. I and II. Center for the Study of Higher Education, The Penn. State University, University Park, Pa.
Selected studies including some collective bargaining in Penn. faculty attitudes, governance and unions, community college and postsecondary occupational education available.

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A report on the voting behavior of the faculty members in the 13 Penn. State Colleges and Indiana University of Pa. in an election to choose a bargaining agent in 1971.

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The problem of joining or not joining a faculty union is analyzed via simplified analogy. The effects of group size are discussed and it is shown that the decision structure is an in-person prisoner's dilemma. Several possible solutions to the dilemma are discussed but the ultimate solution appears to be more a matter of social ethics than logic.

145 Mintz, B. "The Birth and Growth of The Science of Collective Bargaining" in higher education. History of this Center. College and Univ. Business, 58(1): 16, Jan., 1974.

146 Mintz, Bernard. Collective Bargaining--A Collegial Activity. Speech given at North Central Association Conference, Chicago, September 27, 1972. On file, NCSCBHE.

147 Mortimer, Kenneth P. Faculty Voting Behavior in Collective Bargaining Elections. Prepared for Panel: "New Patterns of Governance in Higher Education," American Society of Public Administration, May 6, 1974. 21 pp. On file, NCSCBHE; or write Center for the Study of Higher Educ., Penn. State U., 101 Rackley Bldg., University Park, Pa. 16802.

148 Nielsen, R. "Even the Tribune Understands a Little" about why college professors are now unionizing. American Teacher, 59(4): 30, Dec., 1974.

COLLECTIVE BARGAINING (Cont.)

149 Nigro, Peter D. "Changing Managerial Concepts of the University, Department Chairmen: Supervisor or Group Leader Under A Union Contract." Journal of Business Education, November,1973, 75-76.

150 Nigro, Peter D. "What Does A Unionized Faculty Mean?" College Management, January, 1970, 40-41.

151 Nigro, Peter D. "Workers on The Campus Unite." Journal of Business Education, March, 1973, 253-254.

152 "Public Sector Bargaining Issue Aired at New York Labor Conference." 1974-GERR - 560: B-2, B-3.
Baruch College professor sees union growth in public sector colleges but says faculty will forego tenure protections as they opt for bargaining.

153 Report of the Florida Technological University Faculty Senate Ad Hoc Committee on Collective Bargaining. Oct., 1974. 35 pp. Write President, Faculty Senate, Florida Technological Univ., Orlando, Fl. 32816 or this Center.
Covers Florida law, advantages/disadvantages and attitudes of Florida faculty.

154 Schoen, Sterling H. and Raymond L. Hilgert. "Cases in Collective Bargaining and Industrial Relations: A Decisional Approach." Revised Edition; Richard D. Irwin, Inc., Homewood, Illinois, 1974; 360 pp. paperback; indexed.

155 Semas, P. W. "Fla Public Colleges Near Vote on Faculty Unionization." Chronicle of Higher Educ., 8(26): 3, April 1, 1974.

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Author reviews Professors, Unions, and American Higher Education by E. C. Ladd, Jr., and S. M. Lipset. (Carnegie Commission on Higher Education, 124 pp., $1.75); Faculty Unions and Collective Bargaining by E. D. Duryea, R. S. Fisk and Associates. (Jossey-Bass, 236 pp., $8.75); Collective Bargaining Comes to Campus by R. K. Carr and O. K. VanEyck. (American Council on Education, 314 pp., $9.00).

157 Semas, P. W. "Require Professors to Pay Union Dues." Chronicle of Higher Educ., 9(7): 3, November 4, 1974.
Unionized college faculties are increasingly facing one of the classic issues of organized labor: mandatory union dues.

158 Semas, P. W. "Teacher Unions Girding." Chronicle of Higher Education, 9(1):3, September 23, 1974.
Campaigns to organize College Professors this year are likely to be the most aggressive ever seen on campuses.

159 "States Urged to Enact Laws on Faculty Unions," Higher Education and National Affairs, 23(10):7, March 8, 1974.

160 Steinberg, R. "Professionals in Unions Cite Old Reasons: Pay, Security." New York Times, July 28, 1974, p.10.

161 Thomson, A. W. J. An Introduction to Collective Bargaining in Higher Education. Key Issues No. 16. New York State School of Industrial and Labor Relations, Cornell University, Ithaca, N. Y. 14850. $2. per copy.
All Key Issues reports are based on research publications, legislative documents, and other published material available in the comprehensive library collection of the school. They are designed to provide background information.

162 Thomas, R. "Collective Bargaining: Albatross or Talisman for Student Affairs." Copies available from Res. Proj. on Students and Coll. Barg., 1730 Rhode Island Ave., N.W., Suite 500, Washington, D. C. 20036.
Impact of collective bargaining on student personnel administrators. Some 60% of SPA's surveyed think collective bargaining will restrict SPA's latitude in working with student concerns, and 53% think it hinders student participation in governance, but SPA are generally supportive of collective bargaining.

163 Van Dyne, L. "Ruckus in Dowagiac." Chronicle of Higher Education, 8(40):4-5, August 19, 1974.
The hometown of Southwestern Michigan College is stirred by a Trustee's battle with the North Central Accreditors. Issues also concern governance and collective bargaining.

164 Wessel, Robert H. Collective Bargaining and the Quality of Graduate Education. Speech presented to the Eastern Economic Association, Albany, New York, October 25, 1974.
On file, NCSCBHE.

COLLECTIVE BARGAINING (Cont.)

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Unions attempted to organize more professionals such as employees of colleges, in 1973 than in 1972. The AAUP went to seven NLRB contests in 1973, winning four of them. The NEA won 3 out of 4 of its elections. The largest unit to reject a union was 261 office clericals at Drexel University which voted against continued representation by AFSCME. Total quote relating to colleges.

166 Wollett, Donald H.and Robert H. Chanin, The Law and Practice of Teacher Negotiations. Incorporating 1973 supplement; BNA Books, Washington, D. C.; 1200 pages; loose-leaf binder format; indexed; $39.50.

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Authors admonish radical faculty to join teacher unions. The potential for radicalizing the working class is discussed.

COLLECTIVE BARGAINING-INTERNATIONAL

168 Adell, B. I. and D. D. Carter, Collective Bargaining for University Faculty in Canada. Industrial Relations Centre, Queen's Univ., Kingston, Ontario. 1972. 95pp.
Covers the changing market, dissatisfaction with job security, governance, government control, faculty power, due process, grievances, comparison with Britain, absence of legal obstacles, scope and subject matter, effect on standards of performance, strikes and compulsory arbitration.

169 Goldenberg, S. B. Public Service Bargaining: Implications for White Collar Unionism. Industrial Relations Centre, Queen's Univ., Kingston, Ontario. 32 pp. 1973.

170 Johnston, T. L. Public Sector and White Collar Bargaining. Industrial Relations Centre, Queen's Univ., Kingston, Ontario. 18 pp. $1.00. 1970.

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172 Analysis of Faculty Contract Information at Public Community Colleges in Michigan 1969-70. Lansing, Mich.: Michigan Community College Association, 1970.

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173 Collective Bargaining in Public Institutions of Education in the Commonwealth of Massachusetts: Contract Content - November, 1974. Mass. Board of Regional Comm. Colleges, 177 Milk Street, Boston, Mass. 02109.
Covers bargaining unit definitions, workload, chairmen, promotion, tenure, grievance procedures, arbitration provisions, union/management rights, sabbatical leaves and salary ranges.

174 Humphrey, N. D. An Analsysis of Collectively Bargained Contracts in Senior Colleges and Universities in 1973. Dissertation, Brigham Young University, 1974. 140 p.

175 Tables Summarizing Salaries, Fringe Benefits and Related Practices Affecting Professional Employees of (31) New York State Community Colleges, 1973-74. NYSPRB, 50 Wolf Road, Albany, N. Y. 12205. Published Jan. 1974.
Covers 20 provisions in charts from Bargaining Unit Definitions, Department Chairmen, Sabbatical Leave to Union Privileges, etc.

COURT CASES

176 College Law Digest. Bi-monthly publication with summary of court cases and legal developments affecting colleges. Vol. 4, 1974, $15.00 subscription. Vol. 1-3, 1971-73, bound set $45.00. Digest of College Law, 1935-70. Published 1974, paper $12.00. Order from Fred B. Rothman & Co., 57 Leuning St., So. Hackensack, N.J. 07606.

177 "Equal Pay for Women Backed by Court." Chronicle of Higher Education, 8(35):6, June 10, 1974.
The 1964 Equal Pay Act upheld by the Supreme Court. The decision may give a boost to women's groups seeking salary adjustments and back wages for both academic and nonacademic employees.

178 Kelly, Thomas E., Jr. "Double Prosecution of the State University Student." Journal of College and University Law, 1(3):269-288, Spring, 1974.

179 NLRB v. Textron, Inc. Supreme Court of the United States. No. 72-1598, April 23, 1974.
Concerns managerial employees. All employees properly classified as "managerial," rather than just those in positions susceptible to conflicts of interest if they are represented by union, are excluded from protections of LMRA. Relevent to higher education. 85-LRRM-2945-2961.

180 O'Neil, Robert M. "Court and Campus - Striking A New Balance." The Journal of College and University Law, 1(3): 199-205, Spring, 1974.

COURT CASES (Cont.)

181 "3 University Cases Go to High Court." Chronicle of Higher Education, 8(26):4, April 1, 1974.
Merely indicates cases by U. of Connecticut over grading, tenure laws, etc.; Georgia State U. faculty over trespass charges; faculty at Oregon State U. over due process in tenure cases. Cases asking Supreme Court to review lower court decisions.

182 "Title VII Arbitrations." This Center's Newsletter, 2(3): 6-7, May/ June, 1974.
Discusses deferral of discrimination complaints by courts to the arbitration procedures in faculty contracts. Discusses Rios vs. Reynolds Metal and Alexander vs. Gardner-Denver Court Cases.

COURT CASES - CALIFORNIA

183 "L.A. Ordered To Pay Increases That Were Frozen In Fall 1971." 1974-GERR - 579: B-8 to B-9.
County of Los Angeles is ordered to pay about 2,000 community college teachers wage increases withheld during the 1971 wage-price freeze.

184 Los Angeles College Teachers Association, et al. v. Bloodgood, et al. California Supreme Court, Los Angeles County Case No. C92178, September 23, 1974.
Proceeding in which college teachers of Los Angeles Community College District, who were not paid a salary increase during and because of Phase I of federal wage freeze, seek payment of such increase retroactively. Payment ordered. 21-WH Cases - 1023 to 1024.

185 "The State of California et al. v. James Coan et al."
Economic Stabilization Act of 1970 inapplicable to states' regulation of their employees' salaries, California Supreme Court holds. Court orders state to pay 4.5 percent cost-of-living council pared from average 11.5 percent raises 1973 budget provided. One dissenting opinion, however, asserts state court lacks jurisdiction to consider matter, and second dissenter holds congress does have power to limit state employee salary increases. 1974-GERR-554:B-1 to B-3; F-1 to F-10.

186 State of California v. U. S. U. S. District Court, Eastern District of California No. S74-17, October 15, 1974.
In action by State of California against Federal Government for judicial review of administrative order of Federal Cost-of-Living Council, the Federal Government is not entitled to amend its counterclaim so as to seek temporary injunction enjoining payment of wage and salary increases by the State in compliance with California Assembly Bill 4428. 22-WH Cases-43 to 46.

COURT CASES-CALIFORNIA (Cont.)

187 "TECA Voids Ban On California Employees' Pay Raise: Government Appeals." 1974-GERR-576, B-6 to B-9, E-1 to E-6.
Temporary Emergency Court of Appeals rules office of Economic Stabilization cannot prevent State of California from paying some 180,000 state workers average 4.2 percent retroactive raise denied under now expired Stabilization Act.

188 United States v. State of California, et al., Coan and California State Employees' Association.
U. S. Temporary Emergency Court of Appeals. Case Nos. 9-13 and 9-14, September 19, 1974.
Federal district court did not have jurisdiction of action brought by Federal Economic Stabilization Act to enjoin State of California from implementing State Budget Act in disregard of order of Cost-of-Living Council. 21-WH Cases - 1012 to 1017.

189 United States v. State of California, et al., and Coan and California State Employees' Association.
U. S. District Court, Eastern District of California, Case No. S74-186, June 25, 1974.
Federal Government is entitled to preliminary injunction enjoining payment by State of California of wage and salary increases which were disallowed by order of Cost-of-Living Council during existence of Economic Stabilization Program. 21-WH Cases-1010 to 1012.

COURT CASES-COLORADO

190 Alexander v. Gardner-Denver Company. U. S. District Court District of Colorado, Case No. C-2476, July 7, 1971.
Case on radical discrimination in the private sector with relevence to higher education. Discussed in Vol. I No. 2 and Vol. 2 No. 3 of the NCSCBHE Newsletter. 4-FEP Cases - 1205 to 1209.

191 Alexander v. Gardner-Denver Company. U. S. Court of Appeals, Denver, No. 71-1548, August 11, 1972.
Appeal affirms the trial court opinion. 4-FEP Cases-1210 to 1211.

192 Alexander v. Gardner-Denver Company. U. S. District Court District of Colorado, No. C-2476, November 19, 1974.
An employer did not violate Title VII of the Civil Rights Act of 1964 when it discharged a black employee on the basis of a subjective evaluation by a single supervisor, a federal district court holds on remand from the U. S. Supreme Court. 8-FEP Cases 1153 to 1155.

COURT CASES-FLORIDA

193 University of Florida, K. Megill vs. "Union Appeals Megill Case" over denial of tenure. American Teacher, 59(4): 28, December, 1974.

COURT CASES-ILLINOIS

194 University of Chicago, Kaplowitz v. U. S. District Court Northern District of Illinois. No. 73-3760, October 22, 1974.

A law school placement office is an "employment agency" within the meaning of Section 701(c) of the Civil Rights Act of 1964, a federal district court finds, where, the placement office is the primary source through which employers hire the law school's students and recent graduates, and the vast majority of all positions obtained by students and recent graduates is through utilization of the placement office. 8-FEP Cases-1131 to 1137.

COURT CASES-IOWA

195 University of Dubuque. Scully, M. G. "Tenure: An Iowa Court says Financial Exigency Justifies Firing a Teacher." Chronicle of Higher Education, 8(39):2, August 5, 1974.

An Iowa district judge has ruled that U. of Dubuque had the right to fire a tenured professor.

COURT CASES-MARYLAND

196 University of Maryland. Fields, C. M. "U. of Maryland Charges Civil Rights Office Threatened It With Adverse Ruling Unless It Settled Bias Suit." Chronicle of Higher Education, 8(35): 1-2, June 10, 1974.

The University of Maryland has filed suit against the U. S. Office for Civil Rights charging that its investigators improperly interfered in a federal court suit accusing the university of sex discrimination.

COURT CASES-MASSACHUSETTS

197 Tufts University. Fields, C. M. "Sex-Bias Charges." Chronicle of Higher Education, 8(41):3, September 3, 1974.

The EEOC is seeking a preliminary injunction ordering Tufts University to reinstate two female faculty members.

COURT CASES-MICHIGAN

198 Washtenaw Community College Education Association and James Davenport v. Board of Trustees. Michigan Court of Appeals, Division 2, Case No. 15662, August 19, 1974.

Statute prohibiting colleges from contributing funds to more than one retirement plan unconstitutionally impaired bargaining agreement between Washtenaw Community College and Education Association which required Board of Trustees to contribute amount equal to maximum of 5 percent of professor's pay to private retirement plans, Michigan Court of Appeals decides, reversing lower court. 1974-GERR-579:B-1 to B-3.

COURT CASES-MINNESOTA

199 Minnesota State College Board v. PERB. Minnesota District Court No. 397320, November 13, 1974.

Appeal from MPERB's determination under State PELRA(SLL33:237) of appropriate bargaining unit for faculty members employed in state college system is governed by Chap. 15 of Minn. Administrative Procedure Act rather than conventional certiorari proceeding, and therefore substantial evidence standard applies. 87-LRRM-2981 to 2990.

COURT CASES-NEW MEXICO

200 University of New Mexico, EEOC v. U. S. Court of Appeals, Tenth Circuit (Denver). No. 74-1119, October 30, 1974.

EEOC is entitled to enforcement of subpoena duces tecum requiring university, which has been charged with discriminating against certain professor, to produce records and personnel files of other professors, even though no "probable cause" has been shown that university violated Title VII. 8-FEP Cases 1037 to 1044.

COURT CASES-NEW JERSEY

201 Bloomfield College. Peterson, I. "A Faculty Union is Suing College: Jersey School Dismissed 11 Teachers with Tenure." New York Times, April 29, 1974, p. 67.

202 Bloomfield College. "Court Decides a Question of Tenure." New York Times, June 30, 1974, p.6.

203 Education Association v. New Jersey Board of Education. New Jersey Supreme Court No. A-25, November 20, 1974.

School board is required to negotiate with teachers' union sections of guidelines unilaterally imposed by board that require written approval of chief executive officer of employer institution before employee may have outside employment. 87-LRRM-2951 to 2953. (New Jersey State Colleges)

COURT CASES-NEW JERSEY (Cont.)

204 New Jersey State College Facilities, Inc., v. Ralph A. Dungan, Chancellor of Higher Education and Association of New Jersey County Facilities, Inc., v. The New Jersey Board of Higher Education; N. J. Supreme Court Nos. A-26 and A-27, March 5, 1974. 1974-GERR-552:1, B-6 to B-9.

In another decision delimiting scope of teacher bargaining, New Jersey Supreme Court rules that boards of trustees may set quotas of tenured faculty at state, county colleges -- but adds that "prior consultation" would further goal of tranquil labor relations. N. J. Chancellor of Education has recommended proportion of 60 percent tenured to 40 percent nontenured faculty.

205 New Jersey State College System. "High Court in N. J. Upholds State's Tenure Restrictions," by P. W. Semas in Chronicle of Higher Education, 8(26):3, April , 1974.

COURT CASES-NEW YORK

206 Columbia University v. Gilinsky. U. S. District Court Southern District of New York. Case No. 73 Civ. 4211, September 24, 1974.

Action under Title VII of Civil Rights Act of 1964 by rejected female applicant against university, wherein university moved for summary judgment and applicant moved for preliminary judgment. Both motions denied. 8-FEP Cases-846 to 848.

207 CUNY. Index, Digest and Tables of Arbitration and Court Cases Arising Under Collective Agreements Covering Instructional Staff. Vol. 1, 1974. Cases from Sept. 1, 1969 through Jan. 31, 1974. $30.00 to full subscriber; $50.00 to others. Available from this Center.

208 CUNY/Professional Staff Congress v. Board of Higher Education. New York Supreme Court Case No. 00831/74, May 1, 1974.

Motion to vacate, and cross-application to confirm, arbitration award denying grievance of Assistant Professor at college that her promotion to Associate Professor was denied because of illegal sex discrimation. Motion denied and cross-application granted. 87-LRRM-2399 to 2400.

COURT CASES-NEW YORK (Cont.)

209 CUNY, Board of Higher Education of City of New York v. Dorfman. New York Supreme Court Special Term, Part I New York County, No. 41478/74, Sept. 23, 1974.
On petition to stay, and cross-application to compel arbitration of dispute under collective bargaining contract. Petition granted and cross-application denied. 87-LRRM-3002 to 3003.

COURT CASES-OKLAHOMA

210 Oklahoma College of Liberal Arts, Semas, P. W. "Firing 'Divisive' Teachers." Chronicle of Higher Education, 9(7):2, November 4, 1974.
A U. S. Appeals Court has ruled that Oklahoma College of Liberal Arts violated the constitutional rights of 11 faculty members and 3 administrators, when it refused to hire them because they were "divisive."

COURT CASES-PENNSYLVANIA

211 Temple University. "White Historian gets $5,000 in Settlement of Reverse-Bias Suit." The Wall Street Journal, Monday, July 29, 1974, p. 10.
Temple University has paid an out-of-court settlement of $5,000 to an historian who claims he was denied a faculty position because he is white.

COURT CASES-VERMONT

212 University of Vermont, M. J. Parenti v. "Radical Professor Settles His $175,000 Suit Against U. of Vermont for $15,000." Chronicle of Higher Education, 8(30):2, 6-8, April 29, 1974.

COURT CASES-WASHINGTON

213 University of Washington, DeFunis, M. v. "Higher Court Avoids Ruling on Preference to Minorities in Law School Admissions." Chronicle of Higher Education, 8(30):1, April 29, 1974.

214 University of Washington. Kirp, David L. and Mark E. Yudof. "DeFunis and Beyond." Change Magazine, 6(9):22-26, November, 1974.
Two legal scholars examine the difficult problem of race-conscious admissions in the wake of the Supreme Courts' nondecision in the DeFunis case.

COURT CASES-WASHINGTON

215 Whitman College. Semas, P.W. "A Tenured Professor's Dismissal." Chronicle of Higher Education, 9(6):2, October 29, 1974.
D. L. Lehmann, dismissed from his post as a tenured professor of biology at Whitman College sues for reinstatement and $2 million.

COURT CASES-WISCONSIN

216 Wisconsin State University. Roth, Board of Regents v. Famous Case of non-renewal of appointment. 460-GERR-B-1, E-1.

CUNY

217 Buder, L. "CUNY Sets Policy on Draft Evaders: Would Allow Them to Tutor to Satisfy Amnesty Plan." New York Times, September 22, 1974, p. 25.

218 "CUNY Union, Students Protest Budget Cuts." New York Teacher, 16(17): 16, December 22, 1974.

DAY-CARE CENTERS

219 "Day-Care Centers as Union Bargaining Points: Few Unions Have Negotiated Contracts Providing for Centers." Labor Relations Reporter - News & Background Infor., 87-LRR-329 to 330.

DIRECTORIES

220 A Directory of Public Employee Organizations: A Guide to the Major Organizations Representing State and Local Public Employees. U. S. Dept. of Labor, LMSA, Public Sector Labor Relations Information Exchange, 1974. 61p.

221 Directory of Public Employee Organizations in New York State. Special Bulletin No. 244, August 1973. New York State Department of Labor, Division of Research and Statistics, 2 World Trade Center, New York, N. Y. 10047, $3.30.

222 Public Employee Organizations in New York State, 1972. Labor Research Report No. 1, January, 1974. New York State Department of Labor, Division of Research and Statistics, 2 World Trade Center, New York, N.Y. 10047.

DIRECTORIES (Cont.)

223 "Study Published on State Civil Service Employee Associations." 1974-GERR-548: B-22.

A study of independent state associations of public employees has been published by the Department of Labor's Labor-Management Services Administration. The Study "is an attempt to fill in a knowledge gap as to the origins of these associations, their structure, membership, functions, and policies."

DISCRIMINATION

224 "Discussion of Discrimination at NYU Conference." News and Background Information, 86-LRR-171 to 174.

Speakers see EEOC emerging as key agency in regulation of labor relations, eclipsing NLRB.

225 Non-Discrimination Clause Data." This Center's Newsletter, 2(4):8-11, Sept./Oct., 1974.

A review of 148 faculty contracts of which 27.7% make no mention of non-discrimination.

DISPUTE/IMPASSE RESOLUTION

226 "Impasse Resolution in the West-Northwest Public Sector Scrutinized." 1974-GERR-556:1-2, B-3 to B-8.

Diversity of procedures and methods to resolve public employee labor relations conflicts in five West-Northwest states examined at recent conference conducted by National Center for Dispute Settlement of American Arbitration Association. Conferees look to refine and develop impasse procedures in Alaska, Washington, Oregon, Nevada, and California.

DUTY TO BARGAIN

227 Najita, J. M. Guide to Statutory Provisions in Public Sector Collective Bargaining: The Public Employer and the Duty to Bargain. Industrial Relations Center, College of Business Administration, U. of Hawaii, 1974. $2.25. 93p.

Summary of statutes through 1973 on designation of public employer, conduct of negotiations, scope of negotiations, limits on authority and role of legislative body.

EMPLOYMENT

228 Barton, F. Letters to the Editor, Chronicle of Higher Education, 9(12):11, December 9, 1974.
What needs to be done to get jobs for prefessionals in higher education.

229 Watkins, B. T. "Academic Jobs: Stability in the '70's." Chronicle of Higher Education, 9(12):3, December 9, 1974.
But look for a downturn in the 1980's, economist Allan Carter advises, citing demographic factors.

EQUAL EMPLOYMENT

230 "Clarity Sought on Justice's Role in Public Sector Discrimination Cases." 1974-GERR-548:B-2 to B-6.
Assistant Attorney General Stanley Pottinger says Administration will seek legislation to clarify Justice Department's authority to file "pattern and practice" suits in public sector alleging employment discrimination.

231 "EEOC Progress Against Job Bias." News and Background Information, 86-LRR-48 to 57.
Commission Chairman Powell sees more employer willingness to conciliate discrimination charges. Case on racial discrimination with relevance to higher education discussed in Vol. 2 No. 3 and Vol. I No. 2 of the NCSCBHE Newsletter.

232 "EEOC Proposes Reporting System For Institutions of Higher Education. 1974-GERR-555:B-14.
The EEOC has published its proposals for record-keeping and reporting regulations applicable to all public and private institutions of higher education. Available at 75¢. Write: Superintendent of Documents, U.S. Government Printing Office, Washington, D. C. 20402.

233 "Ninth Annual Labor Relations Institute."
Atlanta Conference covers public sector bargaining, equal employment opportunity, and the role of NLRB in EEO. 87-LRR-290 to 293.

234 "Pattern-Practice Bias Jurisdiction." News and Background Information, 85-LRR-247 to 248.
Justice Department Civil Rights Division Head S. J. Pottinger says Administration will seek a bill to clarify jurisdiction of department, EEOC.

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FRINGE BENEFITS

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Author reviews; Managing Today's Universities by F. E. Balderston (Jossey-Bass, 307 pp., $12.50); and Changes in University Organization, 1964-1971 by P. V. Grambsch and E. Gross (McGraw-Hill, 257 pp., $10.)

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Introducing public officials into the governance of private institutions will produce a narrowing of ideas.

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GOVERNANCE (Contd.)

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Since society accepts the responsibility to support colleges, should it not be allowed to participate in governing them?

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HEALTH INSURANCE

258 "Message on Health Insurance Proposal." Labor Relations Reporter - News & Background Information. 85:141-143.
President Nixon calls for enactment of the Comprehensive Health Insurance Plan submitted by his administration.

259 "Nixon's Plan for Health Care." Labor Relations Reporter - News & Background Information, 85: 111-112.

HEALTH INSURANCE (Contd.)

260 "Study of Private Health Insurance." Labor Relations Reporter - News & Background Information, 85:212-213.
Study shows 38 million under age 65 had no insurance against hospitalization; 43 million no coverage of medical care costs.

261 "Tax Foundation Study on National Health Insurance." News and Background Information, 87-LRR-251.
Study warns that a program could affect inflation, employment.

262 "Winter Meeting of AFL-CIO Executive Council." Labor Relations Reporter - News & Background Information Section, 85-LRR-151 to 153.
Calls for rejection of President Nixon's Health Program and enactment of the Griffiths-Kennedy bill.

263 "Woodcock Criticism of Nixon Health Insurance Plan." Labor Relations Reporter - News & Background Information, 85:129.

IMPASSE RESOLUTION

264 Tanimoto, H. S. Guide to Statutory Provisions in Public Sector Collective Bargaining: Impasse Resolution Procedures. Ind. Rel. Center, Coll. of Bus. Admin., U. of Hawaii, 1973. $2.00. 104 p.
Summary of statutes through 1972 on impasse determination and initiation of impasse machinery in mediation, factfinding, arbitration; covering time schedule, judicial review, cost of procedures, etc.

LEGISLATION-FEDERAL

265 "AFL-CIO Challenges Hampton's Views on Legislation." 1974-GERR-558: A-5 to A-7.
Taking issue with Civil Service Commission Chairman R. E. Hampton's views against a federal labor relations law, AFGE National President C. M. Webber calls present labor relations program under Executive Order 11491 as "not much better than sharecropping."

266 "AFT Protests NEA's Charge That It Opposes Federal Labor Law." 1974-GERR-565: B-1.
AFT legislative director Carl Megel points out that AFT opposes separate bill for public employees NEA favors, but that AFT and other unions seek coverage of public employees under NLRB.

267 "AGE Moves to Strengthen Independence, Expels ISEA for SEIU Affiliation." 1974-GERR-571: B-13 to B-17.
W. B. Osborne, associate counsel and director of collective bargaining for the AAUP considered proposal legislation for public employee bargaining in terms of the special conditions prevailing in higher education.

268 "ALMA Endorses Minimum Federal Guides for Public Sector Labor." 1974-GERR-570: B-14.
The emphasis of such legislation should be on federal-state cooperation. Experience with "final offer" impasse arbitration was reviewed.

269 "Bills to Regulate State, Local Labor Relations Introduced in Senate." 1974-GERR-549: B-8 to B-10.
Two bills amending National Labor Relations Act to cover public employees or establishing separate system with commission to determine units and unfair practices are introduced into the Senate.

270 "Federal Legislation on Public Employee Bargaining". Excerpts from testimony of R. D. Helsby, NYSPERB Chairman, relating to vesting jurisdiction in the federal government. NYSPERB News, 7(9):2-4, October, 1974.

271 "Federation (AFT) Challenges NEA on National Teacher-Bargaining Bill." American Teacher, 59(2): 6, October, 1974.

272 "Five More Organizations Testify on Collective Bargaining Bills." 1974-GERR-565: A-8 to A-11.
Spokesman for free-enterprise advocacy group and for four organizations representing federal employees testify before House Post Office and Civil Service Committee's Subcommittee on Manpower and Civil Service.

273 "Hearings on Federal Labor Relations Bills." News and Background Information, 86-LRR-97 to 98.
Civil Service Commission is against providing statutory basis for federal employee labor relations program, now governed by executive order.

274 "Hearings on Federal Labor Relations Bills." News and Background Information, 86-LRR-107 to 108.
AFL-CIO endorses H. R. 13 as best bill to govern labor-management relations in the federal service.

275 "In Split Over Federal Labor Relations Effectiveness." 1974-GERR-557: B-2 to B-4.
Director of Labor Relations for Navy Dept. and National Treasury Employees Union General Counsel disagree almost totally on whether Civil Service Commission Chairman R. E. Hampton was right when he told House Subcommittee that Executive Order 11491 is working well and does not need replacement by legislation.

276 "Inherent Fundamental Issues Seen in Bargaining Law." 1974-GERR-556: A-4 to A-7; -1 to F-3.
Civil Service Commission Chairman R. E. Hampton says that legislation to replace present federal labor relations program under Executive Order 11491 with law is not now needed, but if Congress insists on writing one it must come to grips with fundamental issues inherent in any basic change. Issues are cited by Hampton.

277 Magel, C. "Will Congress Pass a Teacher-Bargaining Bill?" American Teacher, 59(3): 30, November, 1974.

278 "Mesker Sees Enough Votes to Report Out Bargaining Bill." 1974-GERR-552: A-9 to A-11.
Enough votes now exist in House Post Office and Civil Service Committee to report out bill to regulate labor relations in Federal Government.

279 "NEA switches stand on public bargaining law" to cover public employees under NLRA. American Teacher, 59(4):5, Dec., 1974.

280 "NPELRA Conference Adopts Resolutions on Bargaining." 1974-GERR-553: B-24.
The public employer negotiators resolved to encourage legislative action on public sector labor relations by the states rather than the congress, to support free collective bargaining without resorting to compulsory, binding arbitration of negotiation impasses, to oppose the automatic concept of police and fireman's parity or any mandated salary-setting formula which removes salary determination from the free play of collective bargaining, and to reject extension of the Fair Labor Standards Act to municipalities.

281 "Public Employees' Bargaining." News and Background Information, 85-LRR-275.
Public employee labor legislation is discussed in the Senate.

282 "Second AAA Conference Explores Equity and Public Employers." 1974-GERR-554: B-12 to B-16.
Speakers at conference, cosponsored by American Arbitration Association and International Personnel Management Association largely agree that federal regulation of public employment labor relations is not warranted at present time, and they agree also that various states should be allowed to continue experimentation with forms of unit determination, election, and unfair practice procedures, strike alternatives, and impasse resolution machinery.

283 "Secretary Brennan Predicts Federal Public Sector Laws." 1974-GERR-574: B-17.

LEGISLATION-FEDERAL (Contd.)

284 "Senate Holds First Hearings on Public Employment Bargaining Bills." 1974-GERR-575: B-12 to B-19: F-1 to F-9.
U. S. Senate holds hearings on bills to extend Taft-Hartley Act to Public employees and to cover them under separate National Public Employment Relations Act. NEA favors separate law; AFT favors Taft-Hartley coverage.

285 "Special Purpose Groups Testify on Bargaining Bills." 1974-GERR-564: A-1 to A-4.

286 Stetson, D. "Brennan Expects Federal Laws for Public Employe Bargaining." New York Times, September 24, 1974, p. 18.

287 "Symposium Airs Approaches to Public Employee Legislation." 1974-GERR-548: B-15 to B-19; E-1 to E-19; 1974-LRR-250 to 251.
Public Employee unions in Coalition of American Public Employees, public officials and academics agree Congress should pass law granting public employees bargaining rights but differ on form of regulation.

288 "Symposium Sees Federal Standards for State-Local Sector." 1974-GERR-557: B-10 to B-14; E-1 to E-6.
At final conference on "Equity and Public Employment," most speakers agree Congress should set minimum standards allowing state and local employees to organize and bargain.

289 "Usery: Consider Bargaining Law in This or Next Congress." 1974-GERR-561: A-8 to A-11.
Federal Mediation and Conciliation Service Director W. J. Usery moved closer to endorcement of legislation for collective bargaining for federal employees.

290 "Usery Creates Stir With Claim of Federal Worker Isolation." 1974-GERR-564: A-1 to A-8; F-1 to F-2.
Recent declaration by W. J. Usery that "federal employees are rapidly becoming isolated as the only major block of workers in the nation lacking full collective bargaining rights" has much of federal labor relations community in a stir.

LEGISLATION-STATE

291 "Bargaining for Public Employees." News and Background Information, 87-LRR-76 to 80.
State Statutes governing public employee bargaining discussed at ABA meeting.

292 Chambers, M. M. Higher Education and State Governments, 1970-1975. Interstate Printers and Publishers, 19-27 N. Jackson St., Danville, Ill. 61832; $8.95.
Contains information on appropriations affecting higher education in each of the states.

LEGISLATION-STATE (Contd.)

293 "Do Collective Bargaining Statues Make a Difference?" 1974-GERR-571: B-11 to B-13.
Panelists at Federal Bar Association's Washington, D. C., labor law forum discuss effect collective bargaining statutes have made in their states, particularly Wisconsin and New York.

294 Semas, P. W. "2 More States Vote to Legalize Teacher Unions." Chronicle of Higher Education, 8(33):1, 4, May 20, 1974.
Legislatures in two more states - Iowa and Montana - have enacted laws permitting college faculty members to unionize. Their actions bring to 20 the number of states that now permit collective bargaining at some level of post-high school education.

LEGISLATION-FLORIDA

295 "Florida Enacts Bargaining Law Forbidding Strikes, Providing Right to Work." 1974-GERR-562: B-1 to B-2.
Law carries strong anti-strike sanctions, provides right to work and extends "sunshine law" -- requiring meetings involving public officials to be open to public -- to collective bargaining in public sector.

296 "Legislators Modify Florida Supreme Court Commission's Bargaining Guidelines." 1974-GERR-551: B-12 to B-14; E-6 to E-8.
Florida House of Representatives passes bargaining bill creating employment relations commission, penalizing strikes, and making arbitrator's dispute resolution recommendations mandatory.

LEGISLATION-ILLINOIS

297 "Illinois State Employees Bargaining Program Gets Underway." 1974-GERR-558: B-1 to B-2; E-1 to E-7.
Illinois State Personnel Department issues rules and regulations setting Office of Collective Bargaining procedures for determining units, setting scope of bargaining for state employees, resolving impasses, and processing unfair practice charges.

LEGISLATION-IOWA

298 "Iowa Law Mandates Binding, Final Offer Arbitration of Public Sector Disputes." 1974-GERR-553: B-6 to B-12.
Iowa's 180,000 public employees gain organizing and bargaining rights as legislature enacts and Governor signs Public Employee Relations Act, effective July 1.

LEGISLATION-MAINE

299 "Maine State Employees Gain Right to Organize and Bargain." 1974-GERR-550: B-1 to B-4.

LEGISLATION-MASSACHUSETTS

300 "Disciplinary Acts May Be Appealed to CSC and Labor Commission, Massachusetts Court Holds." 1974-GERR-563; B-2 to B-3.
Spokesmen for Labor Relations Commission, employers, and employee organizations comment on transition to recently effective, expanded labor law.

301 "Massachusetts Labor Commission and Arbitration Board Issue New Regulations." 1974-GERR-578: B-5 to B-8.
Rules to implement Massachusetts public sector labor law effective last July are issued by labor relations commission on procedures to determine units, hold elections and settle prohibited practice charges.

LEGISLATION-MONTANA

302 "Montana Judge, Solons Expand Public Employee Rights; Board Begins Operations." 1974-GERR-561: B-2 to B-7. Text of Board decision: E-1 to E-3, and rules: F-1 to F-7.
A series of actions affecting Montana's public employees. Legislature amends law to provide for payment of nonunion members' agency shop fees to union-selected charity and provides organizing and bargaining rights to state university and community college faculty.

LEGISLATION-NEW YORK

303 "Taylor Law Revisions Affect Police, Firemen, Teachers, Prosecutors." 1974-GERR-561: B-15 to B-16.

MATERNITY LEAVE

304 "Cleveland Teachers receive Back Pay After Supreme Court Maternity Ruling." 1974-GERR-560: B-18.
Supreme Court rules that women may not be assumed physically incapacitated merely because they are pregnant.

305 "Exclusion of Disability Caused by Pregnancy from State's Disability Insurance Program" Labor Relations Reporter Analysis, 86(15): 29-32, June 24, 1974.
Supreme Court declares that a state disability insurance program that excludes from coverage disability caused by normal pregnancy and childbirth does not violate Equal Protection Clause of the 14th Amendment.

306 "New Paid Maternity Leave Policy Approved in Iowa." 1974-GERR-547, B-17.

307 "Teacher Entitled to Sick Pay for Childbirth." 1974-GERR-550; B-12 to B-14.
Parties are bound by contractual provisions guaranteeing that teachers will not be deprived of rights under state or federal laws - and teachers have right, under EEOC guidelines, to use sick leave for temporary disability relating to pregnancy, arbiter rules in Michigan School case.

308 "Treat Pregnancy as Standard Disability, Court Rules." Chronicle of Higher Educ., 8(29): 4, April 22, 1974.
The ruling if upheld, would lend support to guidelines issued last year by the EEOC. They call for pregnancy to be treated as a normal, temporary disability.

309 "Validity of Mandatory Leave Regulations for Pregnant School Teachers." Labor Relations Reporter, 85 Analysis - 7:13 to 16.
Supreme Court Decisions on Cleveland Bd. of Educ. vs. LaFleur and Cohen vs. Chesterfield County School Board. Full text cited in this bibliography.

NEGOTIATIONS

310 Meirowitz, C., et al., eds. The Emerging Role of Middle Management in the Educational Negotiations Setting. Bureau of Educational Studies and Services, Hofstra Univ., Hempstead, N.Y. 11550. 1970. 118 pp. $3.50
Covers Taylor Law, impact and effect of collective bargaining in secondary schools, mediation, militancy, negotiating with non-instructional personnel, preparations for negotiations, arbitration.

NLRB

311 "Index of Cases Reported in Quarterly Reports of the General Counsel (NLRB), 1964 to January 1974." NLRB Release, R-1343A, Aug. 30, 1974, as part of the "Quarterly Report of the General Counsel.

312 "Kennedy Speech on University Representation." News and Background Information, 86-LRR-190 to 191. NLRB member Ralph E. Kennedy stresses need for better understanding of structure of individual institutions.

NLRB DECISIONS

313 Electronic Reproduction Service Corp. - (Case No. 2-CA-12583, September 30, 1974, 213 NLRB No. 110.) 87-LRRM-1211 to 1223. NLRB decision refers to "Spielberg Policy" of Deferral to arbitration, as discussed in this Center's Newsletters.

314 McKnight, W. E. "NLRB Unit Determinations of Private Institutions of Higher Learning." Journal of College and University Personnel Association. 24:23-36, March, 1973.

315 Textron, Inc. - (Case No. 3-RC-4987, May 20, 1971, 190 NLRB No. 66.) 77-LRRM-1265 to 1267. Concerns managerial employees and the bargaining unit. Case relates to higher education.

316 Textron, Inc. v. NLRB. (Nos. 72-1703 and 72-1860, February 28, 1973) 82-LRRM-2753-2763. NLRB is not now free to decide that managerial employees are not excluded from protections of LMRA. Case relates to higher education.

317 Textron, Inc. (Case No. 3-RC-4987, May 1, 1972, 196. NLRB No. 127 /denying motion for consideration of 190 NLRB No. 66, 77-LRRM-1265/.) 80-LRRM-1099 to 1101.

NLRB DECISIONS - CALIFORNIA

318 Claremont Colleges and OPEIU. Bargaining unit covers all full-time and part-time employees of the Honnold Library system; i.e., professional and non-professional librarians. NLRB Decision, Case No. 21-RC-12197 (1972).

NLRB DECISIONS - CALIFORNIA (Cont.)

319 Leland Stanford Junior Univ. Case No. 20-RC-11813, November 4, 1974, 214 NLRB No. 82.

Research assistants in University's physics dept. are not employees within meaning of LMRA, since payments made to them are not wages but instead are in nature of stipends or grants to permit them to pursue their advanced degrees and are not based on individual skill or function or nature of research performed. 87-LRRM-1519 to 1521.

NLRB DECISIONS - FLORIDA

320 University of Miami.

The Board found appropriate an overall faculty unit exclusive of the faculties of the graduate professional schools and a separate unit limited to the law school faculty, and directed elections in those units. (12-RC-4520, 4530; 213-NLRB No. 64.) Weekly Summary of NLRB Cases, W-1411: 16, October 9, 1974.

321 University of Miami. "Medical Professors Barred from Miami Bargaining." Chronicle of Higher Educ., 9(4): 2, October 15, 1974.

For the first time, the NLRB has excluded medical school professors from a faculty collective bargaining election at the Univ. of Miami.

NLRB DECISIONS - ILLINOIS

322 College of St. Francis.

All regularly employed full-time faculty members including department chairmen, program directors, librarians and coaches shall vote for representation by American Federation of Teachers, or for no representation. (13-RC-13417, September 25, 1974.) Weekly Summary of NLRB Cases, W-1414: 22, Oct. 16, 1974.

NLRB DECISIONS - OHIO

323 Oberlin College and Oberlin College Teachers' Association. NLRB Case No. 8-RC-9328. March 29, 1974, 14 pp.

Ruling determines proper composition of faculty unit and directs election for those eligible in order to ascertain whether unit desires to be represented by Oberlin College Teachers Association.

NLRB DECISIONS - MASSACHUSETTS

324 Boston University. Semas, P. W. "University Told It Must Divulge Budget to Union in Money-Crisis Dismissals." Chronicle of Higher Education, 8(33): 4, May 20, 1974.

The NLRB ruled that Boston University must provide a collective bargaining agent with budget information if the administration uses financial problems as a justification for dismissing staff members. The ruling could have important implications for colleges and universities undergoing financial difficulties.

325 Wentworth College of Technology. Semas, P. W. "NLRB's Power Over Colleges is Challenged." Chronicle of Higher Educ., 8(32): 1, 3, May 13, 1974.

Despite NLRB decision, administration refuses to bargain with faculty union challenging NLRB jurisdiction.

NLRB DECISIONS - PENNSYLVANIA

326 University of Scranton.

All full time faculty including faculty associated with the Reading Clinic and Counseling Center, Department of Physical Education, Department Chairman, Librarians, and full time faculty given special assignments in lieu of teaching shall vote for representation by the Faculty Council or for no representation. (4-RC-10882, Sept. 27, 1974.) Weekly Summary of NLRB Cases, W-1412: 21, October 16, 1974.

327 University of Scranton.

Faculty and administration voluntarily agree upon recognition of bargaining unit, rather than obtaining NLRB decision. Unit includes full and part-time faculty, full-time librarians, physical education department (except Director of Athletics and basketball coach), and full-time faculty of Reading Clinic and Counseling Center. Recognition Agreement, Nov. 19, 1970, amended March 6, 1972. (See U. of Scranton Master Agreement, 2/4/71, amended 3/6/72, pp. 8-11, or available from this Center.

NLRB DECISIONS - VIRGINIA

328 Randolph-Macon College. Majority of ballots cast for no agent. Oct. 5, 1973. NLRB Case No. 5-RC-8604.

NLRB DECISIONS - WASHINGTON, D.C.

329 Howard University. "NLRB Declines Jurisdiction at Howard University." Chronicle of Higher Educ., 8(36): 2, June 24, 1974.
Board's majority held it did not have jurisdiction over Howard because of the "unique relationship with the federal government."

NLRB - HEALTH CARE

330 "Health Care Agencies' Labor Cases Now Go to NLRB." Release of NLRB, R-1349, 3 pp., Aug. 25, 1974.

331 "Jurisdiction." News and Background Information, 87-LRR-53 to 55.
Medical College related to non-profit hospital. Part of report on "Case-Handling Developments at NLRB" for 1st quarter of 1974.

332 "NLRB General Counsel's Monthly Report on Health Care Institution Cases." Release of NLRB, R-1372, 18 pp., Dec. 21, 1974.
Refers to N.Y. Univ. 205-NLRB-16.

333 "NLRB General Counsel's Monthly Report on Health Care Institution Cases." Release of NLRB, R-1376, 11 pp., Jan. 24, 1975.
Refers to Cornell U. 183-NLRB-39, 183-NLRB-329.

334 "NLRB Regional Guidelines for Health Care Cases Made Public." Release of NLRB, R-1350, 4 pp., August 25,1974.

335 Quarterly Report of the General Counsel, R-1343A: 22-25, Aug. 30, 1974.
Refers to: Cornell Univ. 183-NLRB-41
Loyola Univ. Med.Center 194-NLRB-234
Duke Univ. 194-NLRB-236, 200-NLRB-13.

336 Stetson, D. "Rochester Reaches Hospital Pack Under New Labor Relations Act." New York Times, Oct. 20, 1974, p. 40.
First contract reached under new rules. The new law preempts state legislation.

OPEN ADMISSIONS

337 "Faculty Union Disputes CUNY on Open Admissions Retention," Chronicle of Higher Educ., 8(29): 2, April 22, 1974.

OPEN ADMISSIONS (cont.)

338 Lavin, David E. Student Retention and Graduation at the City University of New York: September, 1970, Enrollees Through Seven Semesters. Office of Programs and Policy Research, City University of New York, 535 East 80th Street, New York, 10021; single copies available free.

Reports on a study of students enrolled at the City University under the open admissions policy instituted in September 1970. See stories in Chronicle of Higher Educ., March 25, and April 22, 1974.

339 Carnegie Commission on the Future of Higher Education. A Chance to Learn: An Action Agenda for Equal Opportunity in Higher Education. New York, McGraw-Hill, 1970.

340 Carnegie Commission on the Future of Higher Education. The Open-Door Colleges; Policies for Community Colleges. New York, McGraw-Hill, 1970.

341 Healy, T. S. "Will Everyman Destroy the University?" Saturday Review, December 20, 1969.

342 Higher Education Opportunity Program Report 7, the Legislature. Albany, State Education Department, 1970

343 Hood, W. L. Higher Education for the Disadvantaged in New York State: A Summary Report of Programs. Plattsburgh, State University College at Plattsburgh, 1969.

344 Human Affairs Research Center. Progress Report on the Evaluation of the Higher Education Opportunity Programs in New York. Albany, State Education Department, 1970.

345 Master Plan of the Board of Higher Education for the City University of New York 1968, First Revision 1969, Part II: Amendment to Implement Open Admissions. New York, Board of Higher Education in the City of New York, 1969.

346 Open Admissions to Post-Secondary Education: A Statement by the Regents of The University of the State of New York. Albany, State Education Department, 1969.

347 Toward Full Opportunity in State University. Albany, State University of New York, 1969.

348 University Commission on Admissions, Report and Recommendations to the Board of Higher Education of the City of New York. City University of New York, October, 1969.

PENSION LEGISLATION

349 "Accountants' Views on New Pension Law." News and Background Information, 87-LRR-191 to 192.
CPA's discuss tax provisions and disclosure requirements.

350 "AMA Pension Conference Activity." News and Background Information, 87-LRR-107 to 113.
Employer representatives listen to predictions of new legislation, analyses of present law.

351 "Conferees' Action on Pension Reform", 86-LRR-104 to 106.
Portability fund rejected, jurisdictional formula giving both the Dept. of Labor and Internal Revenue Service a role in the enforcement of participation, vesting, and funding standards approved.

352 "Conference Committee Work in Pension Bill." News and Background Information, 86-LRR-182 to 187.
Conferees reach agreement on all points except effective dates.

353 "Conference on Impact of New Pension Law." News and Background Information, 87-LRR-357 to 360.
Associated general Contractors review problems paced by Labor Department, discuss impact of law on multi-employer plans.

354 "Congress considering Pension Bills." The College and University Business Officer, NACUBO - 7(6): 5, December, 1973.
Contains significant requirements for eligibility, vesting, portability and funding.

355 "Conn. State Retirement Act Found Unlawfully Favoring Women." 1974-GERR-578; B-8 to B-10.
Conn. State Employees' Retirement Act violates title VII of Civil Rights Act by giving female state employees preferred status to retire at earlier age and get higher monthly pension benefits than men, U.S. District Court holds.

356 "Discussion of Employee Retirement Security Act." 87-LRR-210 to 212.
International Foundation of Employee Benefit Plans explores new law.

357 "Discussion of New Pension Law." News and Background Information: 87-LRR-169 to 170.
Symposium hears fiduciary standards, structure of pension plans discussed.

PENSION LEGISLATION (cont.)

358 "Discussion of New Pension Reform Act." News and Background Information, 87-LRR-104 to 107.
Conference hears views of public and private sectors.

359 "House Action on Pension Bills." Labor Relations Reporter-News and Background Information, 85: 143-147.

360 "House-Senate Passage of Pension-Reform Bill." News and Background Information, 86-LRR-355 to 356.
Legislators strike section delaying social security benefit integration.

361 "Initial Priorities In Pension Regulation." 87-LRR-86 to 87.
IRS, Pension Benefit guaranty corporation get under way.

362 "IRS Administrations of New Pension Law." News and Background Information, 87-LRR-67 to 68.
IRS office of employee Plans and Exempt Organizations to be created.

363 "IRS Temporary Pension Disclosure Regulations." News and Background Information, 87-LRR-241 to 242.
Rules cover information IRS will disclose to Labor Department.

364 Magarrell, J. "Pension Reform." Chronicle of Higher Education, 8(41): 7, Septemter 3, 1974.
Colleges given some exemptions under new rules in a new pension - reform bill passed by congress.

365 "New Pension Laws Hailed for Michigan State Workers." 1974-GERR-570; B-12.

366 "New York Pension Conference." News and Background Information, 87-LRR-245 to 248.
Law allows maximum benefit for defined benefit and defined contribution plans.

367 "Pension Administration 'Start Up Cost' Request." News and Background Information, 87-LRR-141 to 142.
Labor Department asks congress for $965 million; GM announces recorded early retirements.

368 "Pension Benefit Guaranty Corporation Case Load." News and Background Information, 87-LRR-227 to 228.
Applications for termination insurance already received include one from Anthracite Health and Welfare Fund.

PENSION LEGISLATION (cont.)

369 "Pension Plan Bills Moving Again." NACUBO - The College and University Business Officer, 7(8): 3, February, 1974.

370 "Postponement of Pension Standards." 87-LRR-306 to 307.
Labor Department regulation permits postponement of certain fiduciary responsibility standards beyond January 1, 1975.

371 "Potential Trouble for Employers in Pension Law." News and Background Information, 87-LRR-87 to 89.
AMA Conference on pension reform law points to employee surveillance rights.

372 "Progress By Conferees on Pension Reform Bill." News and Background Information, 86-LRR-123 to 124.
Agreement reached on provisions for reporting termination insurance, and insured benefit limits.

373 "Progress in Conference On Pension Reform Bills." 86-LRR-142 to 145.
Duties set for fiduciaries; provision made for civil action.

374 "Progress in Conference on Pension Reform Bill." 86-LRR-164 to 166.
Agreement reached on rule of 45: fiduciary standards, establishment of advisory council.

375 "Progress on Pension Bill." Labor Relations Reporter, News and Background Information Section, 85-LRR-230 to 231.

376 "Progress on Pension Reform Legislation." Labor Relations Reporter. News and Background Information, 85: 181.
Will allow teachers to contribute up to $25,000 to their pension plans in the year of retirement and preceeding three years.

377 "Proposed Regulations Under Pension Law." 87-LRR-352 to 354.
Labor Department issues proposed rules relating to multi-employer plans, reporting and disclosure and claims procedures.

378 "Recent Developments in Pension Legislation." 87-LRR-286 to 287.
President proposes Pension Benefit Guaranty Corporation Budget deferral. PBGC announces premuim payment rules; Internal Revenue Service issues instructions on Form 1099R.

379 "San Francisco Study Course on Pension Law." News and Background Information, 87-LRR-327 to 329.
American Law Institute, American Bar Association sponsor course tracing direction of law.

PENSION LEGISLATION (Cont.)

380 "Signing of Pension Reform Bill." News and Background Information, 87-LRR-41 to 42.
President Ford signs Bill as Labor Department prepares administrative machinery.

PENSION PLANS

381 "Administrative Expenses of Pension and Welfare Plans." 85-LRR-314 to 315.
Cost per participant during 1967-69 was $10.40 in pension plans and $16.67 in welfare plans.

382 "Basic Contracts Patterns: Pensions." 87-LRR-308 to 312.
BNA survey shows some reference to pensions in almost all contracts studied.

383 "Census Reports Receipts of State-Local Pension Plans." 1974-GERR-550.
Entitled "Finances of Employee Retirement Systems of State and Local Governments in 1972-73," GF73, No. 2. The report is available for 50¢ from the Government Printing Office, Washington, D. C. 20402, or from the Commerce Department's District Offices in major cities.

384 Fields, C. M. "Letter Campaign Backs Equal Payments to Pension Plans by Men, Women." Chronicle of Higher Education, 8(18):5, February 4, 1974.

385 "Rise in Coverage of Multi-Employer Pension Plans." News & Background Information, 87-LRR-209 to 210.
Study shows extraordinary growth during 1950-73.

386 "States Urged to Regulate Municipal Pension Systems." 1974-GERR-542: B-13 to 14.

PERB DECISIONS-HAWAII

387 University of Hawaii and Hawaii Federation of College Teachers. (Case No. SF-07-19, Decision No. 52) 1974-GERR-579; E-1 to E-5.
HPERB decision that exclusive representatives are entitled to full service fees although not administering a contract.

PERB DECISIONS-MAINE

388 "Maine PELRB Rules and Procedures Get Facelift." 1974-GERR-554: B-8, E-1 to E-7.
Text of the board's amended rules appears in Section E.
The Maine PELRB issued revised rules and procedures for administration of the Maine bargaining statute, which covers all public employees except state employees and which was last amended in October 1973.

PERB DECISIONS-NEW JERSEY

389 Shaughnessy, M. 1970-1973 Digest and Index of Decisions of the Executive Director of PERC. Send $2.00 to IMLR Library, Rutgers University, New Brunswick, N.J. 08903. All college decisions listed below.

390 For specific New Jersey decisions write: IMLR Library, Rutgers University, New Brunswick, N. J. 08903.

391 Cumberland County College. Department Chairmen are excluded from faculty unit. Decision of Executive Director of PERC, E.D. No. 4.

392 Essex County College. Faculty unity excludes Department Chairmen. Decision of Executive Director of PERC, E.D. No. 45.

393 Mercer County Community College. Petition to include Department Chairmen in faculty unity dismissed. Decision of Executive Director of PERC, E.D. No. 35.

394 New Jersey College of Medicine and Dentistry. Failure of 126 voters to receive mail ballots had effect on election, second election to be held. Decision of the Executive Director of PERC, E. D. No. 31.

395 New Jersey College of Medicine and Dentistry. Denial of request of 50 eligible voters to review proceedings after election, when they did not intervene prior to such election. Decision of Executive Director of PERC, E.D. No. 36.

PERB DECISIONS-NEW YORK

396 "Cornell Publishes New Handbook on New York PERB Procedures." 1974-GERR-570: B-15.
This 80 page step-by-step handbook was prepared by G. S. Aboud and R. E. Doherty. Available for $2.00 from the Publications Division of the New York State School of Industrial and Labor Relations at Cornell University, Ithaca, N. Y. 14850.

PERB DECISIONS-NEW YORK (Cont.)

397 Adirondack Community College. Unit expanded to cover counselors, assistant librarians and assistant instructors without election. N.Y.S. PERB Decision, C-1046, October 18, 1974.

398 CUNY. "Student Membership on University Committee Held Not Bargainable." 1974-GERR-558: B-10 to B-13.
Although faculty members at CUNY objected that student representation on personnel committees interfered with teacher peer evaluation NYPERB Rules Board of Higher Education is not required to bargain on subject.

399 Genesee Community College and S.E.I.U. and Associated Community College Faculty Association. Faculty unit expanded to cover administrative staff. Election ordered, N.Y.S. PERB Decision Nos. C-1014, C-1048, November 7, 1974.

400 SUNY. "UUP (United University Professions) Upheld as PERB Nixes Split of 14,000 SUNY Staff." New York Teacher, 15(21):5, January 27, 1974.

PERFORMANCE EVALUATIONS

401 Miller, R. I. Developing Programs for Faculty Evaluation, Jossey-Bass, Inc. $9.75.

402 "Nevada Attorney General Overturns Opinion on Performance Evaluations." 1974-GERR-572: B-17.
Performance evaluations are grievable under Nevada's grievance adjustment procedure within the meaning of the State Personnel Rules, Attorney General rules.

403 "Produce or Perish?" Chronicle of Higher Education, 9(11):5, December 2, 1974.
Academe urged to credit film, TV work.

PERSONNEL RELATIONS

404 "Sample Statement on Personnel Policy During a Strike." 1974-GERR-577; F-1.
The following statement was included as part of a discussion paper on "Strike Planning and Preparation" presented at the International Personnel Management Association Annual Conference.

PREPAID LEGAL SERVICES

405 AFSCME, District Council 37, with Columbia University and Ford Foundation have taken steps to provide 1,000 selected members with legal services on such problems as debt, consumer fraud, garnishment. Services began September 19, 1974. Office at 140 Park Place, New York, N. Y. 10007.

406 "Bargaining for Legal Services." 87-LRR-312 to 313. Conference discusses collective bargaining for prepaid legal services.

407 "Pre-Paid Legal Services and Houston Amendments." 87-LRR-228. Senator Tunney again urges bar associations not to make negotiation for prepaid legal service plans difficult.

PRODUCTIVITY

408 "Productivity, Public Employee Bargaining." News and Background Information, 86-LRR-194 to 197. Report of panel discussions at New York University Labor Conference. Includes a Presentation by M. Benewitz.

409 "Public Sector Productivity Gaining Importance, Dean Says." 1974-GERR-552: A-1 to A-2. Productivity improvement is taking on ever-increasing significance for public sector labor relations and collective bargaining according to R. McKersie, Dean of ILR School, Cornell University.

PUBLIC SECTOR LABOR RELATIONS

410 "ABA Panel Looks at Past, Present, Future of Public Sector Bargaining." 1974-GERR-571: B-4 to B-8, E-1 to E-4.

411 "Governor's Order Freezing N. H. Employees Hiring, Promotion Are Voided." 1974-GERR-549: B-6 to B-8. Hailed by N. H. State Employees' Association as landmark decision upholding integrity of merit system and preserving state employees' rights, N. H. Supreme Court hold Governor has no constitutional or statutory power to issue excutive orders which barred state employee hiring, transfers, and promotions and purchase of state automobiles as economy and energy-conserving measure.

PUBLIC SECTOR LABOR RELATIONS (Cont.)

412 Labor Relations Law in the Public Sector, Cases and Materials, includes not only court decisions but also excerpts from State Board reports, law review articles, and discussion of various trends. The book does not deal with collective bargaining techniques or the practical administration of labor agreements, concentrating on the legal aspects. Bobbs-Merrill Co., $18.50, with an appendix of State Employement Relations Laws for $4.00.

413 "Seminar Reviews Public Sector Labor in California." 1974-GERR-551: B-14 to B-17.
Role of mediation, fact-finding, arbitration, strikes, bargaining scope, and proposed legislation to regulate public employee labor relations in California Session sponsored by National Center for Dispute Settlement of AAA.

414 Should We Jail Public Employees? Workers Defense League, 150 Fifth Avenue, New York, N. Y. 10011. 110 p.
A presentation of labor's point of view on the use of the injunction and jail sentences against public employees who strike, picket or engage in other concerted activity in order to articulate their concerns and to assert their interests related to the rights of workers and the system of justice.

415 Smith, R. A., H. T. Edwards, R. T. Clark, Jr. Labor Relations Law in the Public Sector - Cases and Materials. Law Division, The Bobbs-Merrill Company, Inc., 4300 West 62nd Street, Indianapolis, Indiana 46206, $18.50 with statutory Appendix $4.00.

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RETIREMENT

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Author explores early retirement possibilities as well as the problems associated with early retirement.

418 Ingraham, M. H. My Purpose Holds: Reactions and Experiences in Retirement of TIAA-CREF Annuitants. My Purpuse Holds, P.O. Box 3312, Grand Central Station, New York, N. Y. 10017; $2.
Based on a 1972-73 survey by the Teachers Insurance and Annuity Association - College Retirement Equities Fund. The author reports on the experiences and attitudes of retired faculty members, educational administrators and service personnel who are receiving annuity income from TIAA-CREF.

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419 Jenkins, Evan. "Faculty Insurance Plan Aimed at Career Transition." New York Times, 24:2, March 18, 1974.
A group of scholars proposes the establishment of an insurance system to make it easier for college teachers to leave their profession at mid-career. Report called "Faculty Development in a Time of Retrenchment."

420 Jenny, Hans H. Early Retirement, A New Issue in Higher Education - The Financial Consequences. Teachers Insurance and Annuity Association of America, 730 Third Avenue, New York, N. Y. 10017; single copies available free.
Discusses the economic impact of early retirement on educational institutions and their staff members.

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422 Magarrell, J. "CREF Retirement Checks Face Further Cut as Stocks Decline." Chronicle of Higher Education, 8(2[illegible]: 1, 7, April 15, 1974.

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RETRENCHMENT

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Sensitive in-depth discussion of faculty retrenchments at Southern Illinois University.

425 "Campus Notes." Chronicle of Higher Education, 9(10): 2, November 25, 1974.
Fired faculty members at University of Puerto Rico are denied restraining order that would give them back their jobs.

426 "Can't Reinstate 104 Fired at Southern Illinois, Board Told." Chronicle of Higher Education, 8(29):2, April 22, 1974.

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427 Jenkins, E. "Faculty Insurance Plan Aimed at Career Transition." New York Times, March 18, 1974, 24:2.

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Analysis of retrenchment programs in higher education. Emphasis on those programs in those institutions where faculty are unionized.

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Study of 80 clauses found in 158 faculty contracts covering layoff, financial exigency, retrenchment; seniority as a criteria for retention; transfers and recall.

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Half of complaints by professors have an economic twist.

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S.I.U. drops the unprecedented class action suit it filed in December against 6 of the 104 faculty and staff members who had been dismissed because of the institutions alleged financial trouble.

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SABBATICAL LEAVES

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SALARIES

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The Council on Library Resources reports that fewer than 10% of the professional employees in academic libraries are paid more than the assistant professors in their colleges or universities.

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A large settlement has been negotiated for 17 faculty women at Eastern Montana College at Billings.

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Chart compiled by the AAUP and Bureau of Labor Statistics.

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SALARIES (Cont.)

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Extensive fact file. Includes article on pay gains for Women.

448 "The 1974 Amendments to the Federal Minimum Wage Law." Labor Rel. Rep. 85-Analysis-57 to 60.

449 "Retroactive Pay Increase Held Legal by Pennsylvania Attorney General." 1974-GERR-552:B-21.
Retroactive salary increases for public employees provided in collective bargaining contracts do not violate the state constitution.

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In one of the largest settlements of its kind, Rutgers U. has agreed to make salary adjustment payments to female and minority group members.

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456 "Women Faculty Salary Lag Reportedly $1,500." Higher Education and National Affairs, 23(8):5, Feb. 22, 1974.

SCOPE OF NEGOTIATIONS

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Summary of statutes through 1972 on scope related to grievance and impasse procedures, union security; limits on scope such as management rights, authority of boards, merit & Civil Service System; covers consultation, legislative/employee approvals, savings clause where other statutes prevail.

STRIKES

458 "Campus Notes." Chronicle of Higher Education, 9(11):2, December 2, 1974.
New Jersey strike extends into second week.

459 "Campus Notes." Chronicle of Higher Education, 9(6):2, October 29, 1974.
Students protest faculty strike at Rider College (N.J.).

460 "Campus Notes." Chronicle of Higher Education, 9(5):2, October 21, 1974.
Faculty members at Green River Community College (Washington) have returned to work without a settlement after a two-week strike; Faculty at Rider College (N.J.) went on strike after the breakdown of negotiations over salary increases and the bargaining status of department chairmen; maintenance workers at Hofstra University strike after rejecting university wage increase offer.

STRIKES (Cont.)

461 "College Strikes Win Pay Raise" at Green River Community College. American Teacher, 59(3):12, Nov., 1974.

462 "Faculty Strikes Settled at Two Colleges." Chronicle of Higher Education, 9(3):2, October 7, 1974.
Strikes settled at Moraine Valley College and at Lehigh County Community College. Both actions reflected disagreement over salary increases.

463 "Lockout at Illinois College ends with union victory" as Contract signed at Moraine Valley Community College American Teacher, 59(2):12, October, 1974.

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Michigan legislators considering revisions in the state's PERA must find some way of limiting the number of illegal teacher strikes.

465 "Nassau (Comm.) College Local OK's Strike as Impasse Continues" after January 20. After vote talks resumed. New York Teacher, 16(17):16, Dec. 22, 1974.

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467 "New Jersey Teachers Postpone Strike, Continue Talks," at N. J. State College System. Chronicle of Higher Education, 8(19):2, February 11, 1974.

468 "C. W. Post (of Long Island U.) Faculty Votes 'No Contract, No Work,'" unless settlement reached by January 27, 1975 with cost-of-living clause. New York Teacher, 16(19):4, January 12, 1975.

469 "Rider College (N. J.) Staff Strikes," with 93% faculty out after year-long negotiations for salary, increased governance, closed shop. Total quote, New York Times, October 17, 1974, p. 45.

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Teachers return to jobs as talks resume.

STRIKES (Cont.)

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The cast of characters in this power struggle includes the Governor, the Department of Higher Education, Rutgers U., and a militant, ambitious statewide faculty union.

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474 "Supervisors Cut, Teachers Hired in Seattle (Comm.) College Strike Agreement," and strike at Green River Comm. Coll. American Teacher, 59(2):12, October, 1974.

STUDENT EMPLOYMENT

475 "Colleges Get Regulations on Pay for Student-Workers." Chronicle of Higher Education, 8(36):4, June 24, 1974.

476 Kinzer, J. L. and E. H. El-Khawas. Compensation Practices for Graduate Research Assistants: A Survey of Selected Graduate Institutions. American Council on Education, One Dupont Circle, Washington, D. C. 20036; Higher Education Panel Reports No. 21; single copy available free.
Reports on survey of compensation practices and ranges of compensation currently available to graduate research assistants in a number of fields of study at 97 selected institutions.

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Examines new trends in student enrollments, receiving current research literature and analyzing the characteristics of students in a national sample during 1968-73

479 National on Campus Report, a monthly newsletter of trends and activities of college students. $18.00/year. Order from Nat. on Campus Report, Hilldale Center, Madison, Wisconsin 53705.
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These essays project the moods and views of a diverse group of college students.

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TELEVISION

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484 Deiulio, A. M. "Letters to the Editor." Chronicle of Higher Education, 8(37):32, July 8, 1974.
Reaction to M. G. Scully's special report on the video revolution.

485 Ehrlich, G. "Letters to the Editor." Chronicle of Higher Education, 8(37):32, July 8, 1974.
Might not slide projectors offer more flexibility in the classroom than television? And can the education department afford a reel of videotape?

TELEVISION (Cont.)

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487 Scully, M. G. "Video on Campus: Where's the 'Revolution'?" Chronicle of Higher Education, 8(34):9-12, May 28, 1974.
Such a revolution, with conventional colleges shifting to technologically innovative modes of instruction, was predicted more than two decades ago. It has been a long time coming, and it is still not here. (Special Report).

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492 "College Unionists Hold National Conference" discussing tenure, etc. American Teacher, 59(4):23, December, 1974.

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495 "Development in the Law - Academic Freedom." Harvard Law Review, 81:1045-1159, March, 1968.
See especially Part II, Section D, "Regulations by Professional Associations, and Section E, "Collective Bargaining."

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501 Peterson, I. "State U. (of New York) Job Loss Feared From Pact." New York Times, June 23, 1974, p. 43.
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502 Semas, P. W. "Tenure: A Judge Rules in Favor of Professors at Bloomfield." Chronicle of Higher Education, 8(37):2, July 8, 1974.
A New Jersey Judge ruled that Bloomfield College was not justified in abolishing tenure and dismissing 13 faculty members last year.

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Refers to Assistant Professor of Criminology Anthony M. Platt.

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In a case that could have wide repercussions, Mr. Foresi, Assistant Professor at San Jose State University who was denied tenure, charged that making action by the president the final step in both the promotion process and the grievance procedure subjected the faculty member to double jecpardy.

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508 Semas, P. W. "Tenure Curbs Reconsidered In 2 States," at CUNY and NJ State College System. Chronicle of Higher Education, 8(23): 1, March 11, 1974.

509 Shulman, C. H. Employment of Nontenured Faculty: Some Implications of Roth and Sindermann. American Assoc. for Higher Education, One Dupont Circle, Washington, D.C. 20036, ERIC/Higher Educ. Research Report No. 8, $2. Considers two 1972 Supreme Court decisions concerning nonrenewal of contracts of nontenured teachers; examines reactions of the educational and legal communities as well as subsequent cases involving contract nonrenewal; and considers alternatives to nonrenewal of contracts without a statement of reasons.

510 "Teachers' Union Forms Group to Fight Threats to Tenure." Chronicle of Higher Education, 8(17): 3, January 28, 1974.

AFT calls tenure quotas a "tricky management device," and has established committee to resist attacks on tenure.

SEE ALSO RETRENCHMENT

UNION SECURITY

511 "Dues Check-Off and Union Security Study." This Center's Newsletter, 2(2): 1-3, March/April, 1974.
Analysis of 37 four-year and 105 two-year faculty contracts; with charts.

512 Najita, J.M. and D.T. Ogawa, Guide to Statutory Provisions in Public Sector Coll. Barg.: Union Security. Ind. Rel. Center, Coll. Bus. Admis., U. of Hawaii, 1973. $1.00. 28p.
Summary of statutes thru 1972 on union shop, service fees, maintenance of membership and dues check-off.

UNIONS

513 "AFL-CIO's New Public Employee Department." News and Background Information, 87-LRR-265 to 266.
Twenty-four union presidents ratify proposed constitution.

514 "AFSCME, SEIU, And AFT Leaders Confer with Ford on Inflation." 1974-GERR-572: B-12 to B-15.
A. Shanker declared tight money policy means taxpayers are financing high interest payments instead of public services and facilities.

515 "AFSCME's 20th Biennial Convention Meets In Hawaii." 1974-GERR-559: B-9 to B-13, 6-1 to 6-5, H-1 to H-5.
AFSCME link with NEA through Coalition of American Public Employees affirmed. Text of AFSCME president's speech and selected resolutions included.

516 "AFT Backs while NEA Blocks Florida Affiliates' Merger." 1974-GERR-549: B-20.
FEA officers voted 2 to 1 to merge with AFT's Florida Federation. To be known as United Teachers of Florida, the new organization was created "in interest of teacher unity" and to "build effective teacher power."

517 "AFT Elects Shanker, Raises Dues, and Expands Execu. Bd." 1974-GERR-569: B-9 to B-13.

518 "Florida Education Association Becomes Disaffiliated From NEA." 1974-GERR-572: B-16.
FEA had encouraged locals to "deunify" from NEA in violation of NEA policy for local-state-national unified association membership and had encouraged state and local mergers with the AFT which would require AFL-CIO affiliation.

519 "Florida NEA - AFT Merger Fails, Following Dade County Expulsion." 1974-GERR-554: B-18.
NEA president, Helen Wise, commenting on the proposed merger, stated: 'The positions are clear: NEA wants teacher unity: AFT wants AFL-CIO membership. The two are not compatible."

520 "Higher Education and The A.F.T." Chronicle of Higher Education, 9(10): 2, Nov. 25, 1974.
The AFT(A.F.L.-C.I.O.) has created an advisory commission on higher education to coordinate its organization efforts among college professors.

521 "How the AFT Is Growing." American Teacher, 59(3): 13, Nov., 1974.
Chart showing membership of 110,552 in 1965 and 414,854 in 1974.

522 Lewis, Richard. "Who Will Control the AFT?" Change Magazine, 6(4): 14-17, May, 1974.

523 "NEA Breaks off talks with AFT on Merger." Higher Educ. and National Affairs, 23(9): 8, March 1, 1974.

524 "NEA Delegates Remain Independent But Militant." 1974-GERR-562: B-12 to B-18, E-1.
Delegates to NEA's 112th Annual Convention overwhelmingly rebuff attempts to merge with AFL-CIO affiliated AFT but leave eventual merger question open. Text of Resolutions included.

525 1974-1975 Catalogue of AFT Publications. Order Department, American Federation of Teachers, 1012 14th St., N.W., Washington 20005.
Includes listings of all AFT materials concerning a wide variety of topics.

526 Schwartz, Edward. "Training Union Leaders." Change Magazine, 6(1): 18-21, February, 1974.
Interesting expose on efforts of three departments of the AFL-CIO and several universities who are participating in joint programs for workers' education.

527 "Self-Styled 'Fogey,' Van Alstyne, Wins AAUP Presidency." Chronicle of Higher Educaiton, 8(28): 3, April 15, 1974.

528 Semas, P. W. "AAUP Intensifies Its Interest in Politics, College Finance"at its annual meeting. Chronicle of Higher Educ., 8(32): 3, May 13, 1974.

529 Semas, P. W. "The Big Kid Gets Tough." Chronicle of Higher Educ., 8(38): 4, July 22, 1974.
Flexing its formidable muscles, the N.E.A. eyes unionism and politics.

530 Semas, P. W. "An Easy Victory." Chronicle of Higher Educ., 8(41): 4, Sept. 3, 1974.
Incumbent David Selden didn't have a chance against Albert Shanker in the A.F.T.'s presidential election.

531 Semas, P. W. "Faculty Unionization." Chronicle of Higher Educ., 8(37): 5, July 8, 1974.
Stung by a report critical of its efforts thus far, the N.E.A. moves to intensify its organizing drives on college campuses.

532 Semas, P. W. "New Man at AAUP." Chronicle of Higher Educ. 8(38): 5, July 22, 1974.
The AAUP has named a new general secretary-Joseph D. Duffey, a former seminary professor and a political activist who once ran for the U.S. Senate.

533 Semas, P. W. "Union's New Chief Sets Sights on Colleges." Chronicle of Higher Educ., 8(41): I, 4, Sept. 3, 1974.
A. Shanker says the American Federation of Teachers will give top priority to organizing professors.

534 "Shanker Sees Salvation Through Education." - - and Politics 1974-GERR-574: B-3 to B-6.
AFT president urges teachers to be politically active.

535 "Teacher Groups Launch Drives On Vermont, Florida Campuses." 1974-GERR-576: B-16.

536 "Twelfth State Organized By Public Employee Group CAPE." 1974-GERR-566: B-18 to B-19.
Virginia has become the latest state to become associated with the two-year old National Coalition of American Public Employees. Virginia Council of AAUP joins in the hope that through cooperation with other labor organizations better working conditions could be secured for public employees.

WOMEN

537 Arden, Eugene. Letters to the Editor. Chronicle of Higher Educ., 9(3): 8, October 7, 1974.
Any increase of women on faculties may be nothing short of a miracle.

538 Baum, Joan. Women in Higher Education, edited by W. Todd Furniss and Patricia A. Graham. Change Magazine, 6(6): 58-59, July-August, 1974. (Book Review)

539 DeCrow, Karen. Sexist Justice. Random House, $7.95.
Ms. DeCrow provides a vivid, detailed documentation of the oppression of women through the law.

540 Delene, Linda M. Letters to the Editor. Chronicle of Higher Educ., 9(3): 8, October 7, 1974.
Women have more than token roles in college administration.

541 "Demise of State Women's Hours Laws." News and Background Information, 86-LRR-111 to 112.
EEO amended guidelines make clear that state limitations on employment of women discriminate as to sex.

542 Furniss, W. T. and P. A. Graham, Eds. Women in Higher Education. American Council on Educ., One Dupont Circle, Washington, D.C. 20036, 1974. 336p. $10.00.
Covers affirmative action, promotion, maternity leave, day care services.

543 Jongeward, D. Affirmative Action (Programs) for Women: A Practical Guide. Addison-Wesley Pub. Co., Reading, Mass. 01867, $8.95.

544 Krohn, Barbara. "The Puzzling Case of The Missing Ms." Nations's Schools & Colleges, 1(3): 32-38, November, 1974.
Extensive discussion of women in management and the changes which may come about through affirmative action programs and the activities of women's groups. Magazine also contains a Collective Bargaining department, p. 50.

545 "New Coalition of Labor Union Women." News and Background Information, 85-LRR-246-247.
Group will oppose sex discrimination and support legislation for child care, liveable minimum wages and health laws, and improved maternity and pension benefits.

546 "Occupational Ranking by Earnings" in fields with forty percent or more females, women are in the top half of the salary bracket for college Teachers of health specialities (including nursing), and college teachers of home economics." Labor News Memorandum, 29(32-4): 3-4, Aug. 28, 1974. Published by N.Y.S. Department of Labor.

547 "OFCC Proposed Sex Guidelines." News and Background Information, 87-LRR-62-64.
Hearings explore actuarial issues.

548 " A Panel on Women Named by A.C.E." Chronicle of Higher Education, 8(14): 5, December 24, 1973.

549 Peterson, I. "Advance Women, City University (of N.Y.) Board Bid: Plea Made for Promotion...." New York Times, September 24, 1974, p.81.

550 The Project On The Status and Education of Women. B. Sandler, Director. Association of American Colleges, 1818 R. Street, N.W., Washington 20009.
Series of in depth research asbracts, articles, and newsletters are available concerning a wide array of topics pertinent to women in higher education. Bibliographies on women in education also available.

551 "Rise in Number of Women in Labor Unions." 87-LRR-230-231.
Proportion of total membership rose 10 percent during 1970-1974.

552 Ross, Susan Deller. The Rights of Women. Avon Paperback, $1.25.
Ms. Ross' book gives women ideas and concrete information on how to use the law as a sword and a shield. In clear, simple, question and answer format she tells women what their rights are and how to get them.

553 Sinowitz, Betty E. "College Faculty Women Fight Sex Bias." Today's Education, 63(3): 58-59, 62, September-October, 1974.

554 Slippery Rock State "College to Reconsider Women It Rejected" for employment. Chronicle of Higher Education, 8(32): 2, May 13, 1974.

555 "Statistical Profile of Working Women." News and Background Information, 87-LRR-248 to 249.
Special Assistant to Director of OFCC outlines 1973 figures.

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556 Stent, Angela. "The Women's Bid for a Rhodes." Change Magazine, 6(5): 13-16, June, 1974.

557 "Women in the Labor Force." 86-LRR-170.
Women make up nine percent more of the labor force in 1973 than in 1947.

558 A Working Woman's Guide to Her Job Rights. U. S. Department of Labor, Women's Bureau. 1974. 38p.

WORKLOAD

559 Shay, John E., Jr. "Coming to Grips With Faculty Workload." Educational Record, Winter, 1974, 52-58.
Demands for higher salaries by unionized faculties and the demands for accountability by legislators, governing boards, and the public are forcing many institutions of higher education to define 'contractually' what a faculty member shall do," notes the author.

560 "Two-year College Workload Study." This Center's Newsletter, 2(2): 4-7, March/April, 1974.
Survey of 85 two-year college faculty contracts covers preparations, interpretation difficulty, office hours and class size.

561 Yuker, H.E. Faculty Workload: Facts, Myths, and Commentary. AAHE, One Dupont Circle, Washington 20036; ERIC/Higher Education Research Report No. 6, 1974, $3.
Examination and conclusion of methods by which studies of faculty workloads can be performed.

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563 Bunzel, J. H. "Six New Treats to The Academy." Chronicle of Higher Education, 8(15): 24, January 14, 1974.

"Many ethnic-studies and affirmative action programs have encouraged the growth of an infatuation with ethnicity.... Matters never brought to litigation before, i.e., tenure, promotion, the making of professional judgments... are now increasingly headed for the courts."

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568 Aiken, R. J. "Academic Freedom as a Legal Concept." College Counsel, VII(1): 214-40, 1972.

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ACADEMIC FREEDOM - cont.

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Relating to Concordia Seminary.

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574 Knox, W. B. Eye of the Hurricane: Observations on Creative Educational Administration. Oregon State Univ. Press, P.O. Box 689, Corvallis, Ore. 97330. $4.75.

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Trustees of Alfred University and Indiana University complete evaluations of Presidents' performances.

AFFIRMATIVE ACTION

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EEOC's Higher Education Staff Information Report (EEO-6) for public and private colleges is scheduled for use by Oct. 1, 1974, with hearings planned for May.

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Letter to the Editor by the National Coordinator of the Task Force on Higher Educ. of the National Organization of Women.

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Colleges endorse plan whereby employers continue providing equal contributions, but not equal benefits to men and women. Government agencies, women's rights groups & some unions prefer equal benefits.

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Project includes the Universities of Arizona, Colorado and Southern California.

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Office of Civil Rights gives the University thirty days to produce acceptable hiring plan for women and minorities.

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Equal employment does not require that universities set quotas or hire and promote underqualified candidates. Higher Educ. and National Affairs., 22(43): 7, November 30, 1973.

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AGENTS

601 "Collective Bargaining Gains in Oregon" as Chemketa Comm. College selects NEA. Other elections scheduled. Southern Oregon College selects independent, and AFT at Southwestern Comm. College. Chronicle of Higher Education, 8(21): 2, February 25, 1974.

602 "Collective Bargaining Wins on Two Campuses." Chronicle of Higher Educ., 8(17):2, January 28, 1974. Hillsboro Community College, Florida, by the NEA and an independent organization; Jamestown College (in N.D.) - by the NEA.

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604 "NYU Faculty, In 507-404 Vote, Rejects Bargaining." Chronicle of Higher Education, 8(16): 1, January 21, 1974.

605 NYU Law School Votes for Separate Bargaining Agent. Higher Education Daily, November 20, 1973, P. 3

606 "Reading Area Community College." Pennsylvania PERB Certifies AFT as representative of full-time professional teachers. (PERA - R - 111 - C, Nov. 29, 1973.) 1974 - GERR - 546: C - 7.

607 Sievert, W. A. "Bargaining Vote Set this Week at U. of Hawaii" after AFT Certification is Challenged by AAUP - NEA. Chronicle of Higher Education, 8(23): 1, 4, March 11, 1974.

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609 Faculty members of Antioch College, Albion College, Univ. of Mass. (Amherst) and Villanova Univ. rejected collective bargaining and voted for "no agent". Higher Educ. and National Affairs, 22 (43): 5, November 30, 1973.

610 Listing of 212 College Faculties with Collective Bargaining Agents, and accompanying tables and graphs. Information supplied by the National Center. Chronicle of Higher Educ., 8(10): 8, November 26, 1973.

611 "NYU Faculty Rejects Collective Bargaining." Higher Educ. and National Affairs, 23(3): 4, January 18, 1974.

AGENTS - Cont.

612 "Organizing Dispute Ends Between AFT and Vermont State Colleges." Vt. State Colleges Administration will not interfere with AFT's attempts at organizing non-teaching staffs of the state colleges. Both AFT and NEA are trying to organize the Univ. of Vt. faculty. 1974-GERR- 537: B-13 to 14.

613 Peterson I. "Faculty at N.Y.U. Facing a Runoff On Selection of a Bargaining Agent." N.Y.Times, November 17, 1973, 39:2.

614 Peterson I. "N.Y.U. is Fighting Unionization Bid." N.Y.Times, November 13, 1973, 35:1.

615 Semas, P.W. "Faculty at C.W.Post (Long Island U.) Picks A.F.T., 243-50." Chronicle of Higher Educ., 8(12): 12, December 10, 1973.
A.F.T. also selected for Franklin Pierce College in New Hampshire. Law Faculty of Univ. of San Francisco opt for independent union.

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Campuses that turned down bargaining include U. of Mass. - Amherst, Villanova U., Antioch College and Albion College.

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618 "University of Mass. Faculty Turns Down AAUP-MTA Coalition." 1973-GERR - 535: B-18.

619 Stevens, A. R. "A Competent Dean at Olivet." Chronicle of Higher Education, 8(13): 10, December 17, 1973.
Letter to the Editor from President of Olivet College Chapter of the AAUP. Petition for election was withdrawn because of the effectiveness of a competent new dean.

620 "Teaching Assistants Seek to Organize in Two States." U. of Minnesota and U. of Michigan. Chronicle of Higher Education, 8(22): 2, March 4, 1974.

621 "Vermont State College Professors choose A.F.T." Chronicle of Higher Educ., 8(13): 2, December17, 1973.

ARBITRATION AWARDS - ILLINOIS

622 Junior College Dist. No. 508 and Cook Co. College Teachers Union.
Temporary substitute teachers cannot qualify for transfer rights (September 4, 1973).
Arbitration in the Schools, 49:3, March 1, 1974.
AAA Case No. 49-T-2, 7 p.

ABRITRATION AWARDS - MICHIGAN

623 Alpena Community College Faculty Council and Alpena Board of Education.
Arbitrator E. J. Forsythe rules that teacher was afforded adequate notice of nonrenewal as per State's Tenure Act, but adds that materials placed in her personnel file without her knowledge must be removed. Second teacher/grievant must be granted tenure and reinstated (AAA Case No. 54-39-0558-73, Jan. 25, 1974.) Total quote from 1974 GERR-552:C-2.

624 Lansing Community College Board of Trustees and Michigan Association for Higher Education.
In computing the amount of pay due a faculty member who had worked during eight pay periods prior to the beginning of his professional leave, the College had the right to calculate the sum on the basis of the number of days worked rather than on the basis of an equal amount of pay for each pay period (July 24, 1971.)
Arbitration in the Schools. AAA Case No. 24-R-19, 8p.

625 Wayne Co. Community College and Federation of Teachers.
Time limits for filing grievances regarding termination commences when instructor is notified officially of non-reappointment and not when he is told informally prior to this time. Termination of part time instructor requires proof of just cause (November 8, 1973). Arbitration In the Schools, 49: 3, March 1, 1974. AAA Case No. 49AD-4, 15 p.

ARBITRATION AWARDS - NEW JERSEY

626 Middlesex County College and Middlesex Co. College Faculty Organization.
Nursing faculty are entitled to be paid for session planning meetings of faculty and students. It is considered "regularly scheduled instructional activity." (August 29, 1973). Arbitration In the Schools, 49:7, March 1, 1974. AAA Case No. 49-P-16, 18 p.

627 CUNY Professional Staff Congress and Board of Higher Education of the City of New York.
Arbitrator George Nicolau rules that Board did not violate contract By-Laws or policies of Board by not reappointing non-tenured instructor to teaching post for academic year of 1973-74.
(AAA Case No. 1339-0741-73, May 1, 1974.)
Total quote from 1974-GERR-568:C-3.

628 Onondaga Community College and Onondaga Community College Federation of Teachers.
Arbitrator Rodney E. Dennis rules that College violated contract when it promoted on 14 of 35 candidates for promotion recommended by Reappointment, Promotion and Tenure Committee.
(AAA Case No. 15-39-0151-73, September 14, 1973.)
1974-Gerr-548:C-3.

629 CUNY and Legislative Conference. Arbitrator cannot force member of the Personnel and Budget Committee to reveal why an assistant professor was not promoted even if she claims sex discrimination. The policy of secrecy was never challenged in collective bargaining. (October 16, 1973). Arbitration in the Schools, 47:3, January 1, 1974. AAA Case No. 47-NX-1, 11p.

630 Erie Community College and Faculty Federation. Dean was required to submit written reasons to the appointment committee for rejection of their recommendations only if the entire list was rejected. No obligation existed to explain why he selected a candidate other than the one rated most preferred (August 22, 1973). Arbitration in the Schools, 47:4, January 1, 1974. AAA Case No. 47-G-7, 8p.

631 Rockland Community College and Fed. of Teachers.
Teachers who are appointed while collective bargaining over step levels in salary is taking place, shall be incorporated into such steps, even though salary level subsequently changed from that which prevailed at time of appointment. NYS - PERB - No. A72-45, 9 p., March 8, 1974. (Copy available from this Center)

ARBITRATION AWARDS - New York - cont.

632 Onondaga Comm. College and Federation of Teachers.
Per diem payment for services performed after issuance of memorandum announcing a moratorium on such per diem work is not collectible as the memo constitutes adequate notice that future payment for such work is not guaranteed. (July 24, 1973). Arbitration in the Schools, 47:4, January 1, 1974. AAA Case No. 47-P-5,7p.

ARBITRATION AWARDS - Wisconsin

633 Eau Claire Technical Institute and AFT. 1974-GERR-538:C-4.
Failure to reschedule summer classes to provide teacher with full load is not violation of contract. ([illegible] B. Lee, arbitrator, WERC, December 22, 1972.)

634 Lakeshore Area Board of Vocational, Technical (College) and Adult Education and Area Eleven Education Association.
Arbitrator Marvin L. Schurke rules that grievant had not accumulated enough occupational experience to qualify for advancement on vertical axis at established rate of one step on salary schedule for each year of work experience.
(November 7, 1973.) Total quote from 1974-GERR-552:C-3.

635 Milwaukee Area Technical College and American Federation of Teachers/WFT.
WERC-appointed Arbitrator H. Herman Rauch rules that College Instructor's five-day suspension for allegedly failing to submit grades without "incomplete" designation for students in combined courses is not for "Just Cause" and orders suspension rescinded and salary for that period restored. (October 5, 1973.)
Total quote from 1974-GERR-548:C-4.

ARBITRATION/FACT-FINDING AWARDS - CALIFORNIA

636 Peralta Colleges - Helmut F. Schmitt and Peralta Federation of Teachers (AFT).
Chairman of Tripartite Fact-Finding Committee, Arthur B. Jacobs, recommends grievant be credited with serving 75 percent of days during academic year, thereby classifying him as a regular employee at beginning of fiscal year 1973-74.
(FMCS No. 74K00350, February 21, 1974.)
Total quote from 1974-GERR-563:C-3.

ARBITRATION/FACT-FINDING AWARDS - NEW YORK

637 Niagara County Community College and Niagara County Community College Faculty Association.
A Fact-Finder recommended new contract terms for Community College Faculty. Items discussed included; a)wage increases, b) the promotion clause, c) the Major Medical Plan, d) faculty orientation period, e) the make-up of the Faculty Committee, f) salary retroactivity. (January 24, 1974.)
Arbitration in the Schools, 50:8 April 1, 1974.
AAA Case No. 50-C-18, 8p.

ARBITRATION FACT-FINDING AWARDS - New York (Cont.)

638 "CUNY and the Fact Finders," letter to the editor by D. Newton. New York Times, June 26, 1973, 44:4.

ARBITRATION/FACT-FINDING AWARDS - WISCONSIN

639 Blackhawk Vocation, Technical and Adult Education District 5 and American Federation of Teachers. In opinion of Fact-Finder, Philip G. Marshal, proposal of Federation for 5 percent across-the-board increase is recommended (WERC Case V, No. 17211 FF-562, Decision No. 12206-A, January 4, 1974.) Total quote from 1974-GERR-552:C-5.

ARBITRATION PROCEDURES -RELATED REFERENCES

640 "Another Appeals Court Decision Upholding Collyer Doctrine." Labor Relations Reporter - Summary of Developments, 85(21): 1-2. Doctrine holds that NLRB will defer to grievance & arbitration procedures in a collective bargaining contract.

641 "Deferral To Grievance - Arbitration Machinery." Labor Relations Reporter - News Background Infor., 85: 119-120. Report issued by General Counsel of the NLRB.

COLLECTIVE BARGAINING

642 "Collective Bargaining: A Roundup." NACUBO - The College and University Business Officer, 7(6): 7, December, 1973.
News notes from Acad. C. B. Infor. Service on State & Federal Legislation, election results.

643 "Collective Bargaining: A Roundup." NACUBO - The College & University Business Officer, 7(7): 6, January, 1974.
Summary of State & Federal Legislation, election results.

644 Crane, W. J. "Collective Bargaining occurs between adversaries, otherwise, its not bargaining but cooperation." Letter to the editor by a Professor of Eastern Illinois University. Chronicle of Higher Education, 8(13): 10, December17, 1973.

645 "Education Study Foresees 'Domino' Effect of College Level Bargaining." 1974 - GERR - 546: B-13. Report indicates that nonbargaining institutions may be forced to match salary and working conditions negotiated in other schools if they wish to remain competitive.

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COURT CASES - NEBRASKA

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COURT CASES - NEW JERSEY

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N.J. Superior Court clears way for further action.

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718 N.J. Colleges told to Bargain on Faculty Work Restrictions." 1974 - GERR - 545: B-17. N. J. Superior Court, Apellate Division ordered N. J. Bd. of Higher Educ. to negotiate on work restrictions of College teachers. (February 6, 1974)

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Bargaining unit encompassing all types of professional employees working for State of N. J. is most appropriate, affirming PERC decision dismissing two petitions for separate units of state nurses and professional educators, but the matter may be presented again if no movement is made to organize en masse after a substantial period.

COURT CASES - NEW MEXICO

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EEOC, which is investigating claims of Professor in University's Engineering College of retaliation and discrimination because of national origin, is entitled to enforcement of its subpoena Duces Tecum requiring University to produce personnel files of present members of college faculty and files of faculty members who had been terminated during three previous years (No. 10254 Civil, November 2, 1973.) 7-FEP Cases-653-54.

COURT CASES - NEW YORK

721 Columbia University, Gilinsky v. U. S. District Court, Southern District of New York.
Female Professor at one education institution who alleges that another university refusted to hire her because of her sex may maintain her Title VII Action against University as Class Action. (No. 73 Civ. 4211, February 11, 1974.) 7-FEP Cases-641-43.

722 Columbia University Teachers College, O'Connel v. U. S. District Court, Southern District of New York.
Woman who claims that College refused to employ her as Assistant Professor because of her sex has failed to show that there is a class sufficiently numerous to justify treatment of her action. (Case No. 73 Civ. 4299, July 8, 1974.) 8-FEP Cases-525-27.

723 New York Institute of Technology, AAUP v. U. S. District Court, Southern District of New York.
University employer must submit arbitration of faculty union's grievance concerning transfer of certain powers vested in Faculty Senate to the Faculty of the Division of Continuing Education and; involving computation of compensation paid to certain faculty for "minisemester." (Case No. 74 Civ. 758, June 3, 1974.) 86-LRRM-2937-8.

724 New York University, Fard v. U. S. District Court, Southern District of New York.
Woman employed by University Medical School as Researcher and part-time teacher is not entitled under Title VII to preliminary injunction restraining Medical School from terminating her. (Case No. 73 Civ. 3769 (KTD), November 9, 1973.) 8-FEP Cases-319-24.

COURT CASES - NEW YORK (Cont.)

725 New York University, Fard v. U. S. Court of Appeals, Second Circuit (N.Y.)
A Federal Court is no place for a lady with a sex discrimination claim against a University that refused to give her a tenured position and instead terminated her. Female Research Associate Professor properly was denied preliminary injunction under Title VII.
(Case No. 74-1041, August 23, 1974.)
8-FEP Cases-609-11.

726 Richard Kleindienst v. Ernest Mandel* U. S. Supreme Court decides that alien who advocates communist doctrines can be validly denied a visa. Summary at 33L. Ed. 2d. 683, June 29, 1972.
*An invited speaker at various American colleges.

COURT CASES - PENNSYLVANIA

727 Slippery Rock St. College v. Penn. Human Relations Commission. College did not violate State Human Relations Act when, persuant to policy of hiring only doctorate degree teachers for full time employment, it refused to renew part time contract of female teacher who lacked her doctorate. FEP Cases - 7:432-434.

728 Chatham College, Penrell v. U. S. District Court, Western District of Pennsylvania.
Female Professor who was 66 years old when she was notified by private college that she would not be rehired may not maintain action against college on the theory that State action may be found in potential governmental control over College's actions (Case No. 71-1160, January 23, 1974.) 7-FEP Cases-163-69.

COURT CASES - TENNESSEE

729 Fisk University v. Shipley.
Dean of Women was not discriminated against when only the dean of Men was given a rent free apartment in a residence hall since he was also the director. 7-FEP Cases - 244-246 (November 20, 1973): 21-WH Cases - 589-591 (November 20, 1973).

COURT CASES - TEXAS

730 Charles R. Perry v. Robert P. Sinderman.
After 4 years employment college professor's contract was not renewed, nor were reasons or hearing afforded him. District Court's decision of no cause of action reversed by U. S. Court of Appeals and affirmed by U. S. Supreme Court which stated a defacto tenure system existed, and professor was entitled to hearing after having been employed for a number of years. June 29, 1972.
U.S. Supreme Court Reports, 33-LEd-2d:570.
See also Bibl. 1-1971-73, reference 510.

COURT CASES - VIRGINIA

731 State Council of Higher Education, Taliaferro v. U. S. District Court, Eastern District of Virginia.
Female former teachers may not maintain action against State Council of Higher Education and State Officers in their official capacities for alleged sex discrimination in hiring, firing, promotion and administrative treatment of female teachers, since State Council and State Officers in their official capacities are not "Persons." However, action may be maintained against State Officers in their individual capacities.
(Case No. 73-584-R, March 6, 1974.)
7-FEP Cases-492-501.

COURT CASES - WASHINGTON

732 Univ. of Washington, DeFunis vs. "High Court Agrees to Hear Bias Case of White Student."
Student, M. DeFunis, who was rejected by Univ. of Wash. Law School while 30 black students with lower qualifications were admitted, is appealing the State Supreme Court's ruling which reversed a lower court decision. Higher Educ. and National Affairs, 22(43):10, November 30, 1973. (See additional references in bibliography 2, April, 1974.)

733 U. of Washington, DeFunis vs. "High Court Will Review Pro-Minority Admissions' case filed by M. DeFunis who claims U. of Washington discriminated against him. Chronicle of Higher Educ., 8(10): 1, November 26, 1973.

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COURT CASES - WISCONSIN

737 University of Wisconsin System, Jaroch v. U. S. District Court, Eastern District of Wisconsin. State University teacher who claims that loss of her employment is imminent and is due to sex discrimination is not entitled to temporary restraining order enjoining University system from terminating her, since teacher has not shown that immediate and irreparable injury has occurred or will occur (Case No. 74-C-65, March 29, 1974.) 7-FEP Cases-1039-41.

738 Board of Regents of State Colleges v. David Roth. U. S. Supreme Court decides that 14th Amendment of Due Process was not violated when a non-tenured professor was told he would not be rehired, and was denied a hearing to learn the reason why. Fourteenth Amendment protects only interests a person already has and here, the teacher has no interest once the academic year is ended. Summary at 33L. Ed. 2d. 548, June 29, 1972; also at 40-Law Week - 5079, full-text 408-US-564, 1972.

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EQUAL EMPLOYMENT

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EQUAL EMPLOYMENT - cont.

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752 High Court to Examine Discrimination Claim. Higher Educ. Daily, November 20, 1973, p. 1.

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EEOC DECISION

754 Decision 74-53, November 12, 1973.
Reasonable cause exists to believe that employer has engaged in unlawful employment practices by using tenure procedures in its Medical School which discriminate against female faculty members, and by paying lower wages to female than to male Medical School Faculty members. EEOC Rules prohibit identification of charging party - a female faculty member and the college.
Digests of EEOC Decisions. 7-FEP Cases-460-464.

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Reasonable cause does not exist to believe that University employer violated Title VII by discriminating against French teacher on basis of her sex with respect to reappointment to faculty, terms and conditions of employment, or salary; there being no evidence to substantiate allegations of discrimination. Charging party - a female, University as employer.
Digests of EEOC Decisions. 8-FEP Cases-558.

756 Decision 74-94, March 6, 1974.
Reasonable cause exists to believe that charging party was discharged because of his race (Caucasion) in violation of Title VII. No finding concerning whether discharge of seven Caucasion faculty members by predominantly Black University violated Title VII is made due to insufficient evidence.
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773 Illinois Law Allows Student Service on Governing Boards. Higher Educ. Daily, November 21, 1973, P. 2.

774 "Nebraska Voters to Decide on Students as Regents." Chronicle of Higher Educ., 8(22): 6, March 4, 1974.

775 Students Chosen for Oregon State Board of Higher Ed. Higher Educ. Daily, December 21, 1973, P. 3.

GRIEVANCE PROCEDURES

776 Memo from President of Northeastern University regarding new grievance procedures to be instituted. Dated November 19, 1973. 5 pp. (Available from this Center.)

LAW

777 The Journal of College and Univ. Law, Journal Office, National Assoc. of College & Univ. Attorneys, One Dupont Circle (Suite 510), Wash. D.C. 20036 (Single copy, $5.00; annual subscription, quarterly, $20.00).

Articles cover affirmative action, faculty unionism, admissions, trustee liability.

LEGISLATION

778 Andringa, R. C. "Why Won't Educators Help Congress Write Education Laws?" Proposes a national center for post-secondary education policy research. Chronicle of Higher Educ., 7 (39): 12, July 30, 1973.

LEGISLATION-FEDERAL

779 "AFT, LIU Support, AGE Opposes Extension of NLRA to Public Employees." 1974-GERR-543: 1, B-5 to 9.

Consider extending NLRA to cover public employees.

780 "FBA Conference, AFGE 'Retreat' Set for Late April." 1974-GERR-547: 2, A-5 to 6.

Sets conference on advantages/ disadvantages of federal employee labor relations law.

781 Federal Legislation and Education in New York State. Albany, State Education Department, 1970.

782 "FMCS Edges Closer to Endorsement of Law as SFLRP Looks at Federal Labor Relations." 1974-GERR-541: 1, A-11 to 18.

783 "NPELRA and U.S. Chamber Oppose Federal Regulation of Public Section Labor." 1974-GERR-544: 1, B-5 to 8.

Oppose federal regulation of public sector collective bargaining, especially mandating checkoff and agency shop and permitting strikes.

784 Semas, P.W. "House Panel Ends Hearings on Public-Worker Unions" which could lead to rapid expansion of C.B. in higher education. Chronicle of Higher Educ., 8(23): 5, March 11, 1974.

785 "Hampton Wants to Explain Real Issues in Labor Bills." 1974-GERR-538:1, A-9 to 11. Civil Service head wants hearings to explore fully the powers Congress will surrender under the proposed federal employee labor relations bill.

786 "Hearings Open on Bargaining Law for Nonfederal Public Employees." House Special Subcommittee on Labor hears testimony from AFSCME, NEA and IAFF in favor of proposed National Public Employment Relations Law. 1973-GERR-524:1, B-13 to 16.

LEGISLATION-STATE

787 "ABA Committee Report on State Labor Law." 1974-GERR-RF-81-Section 61: 201 to 209.

American Bar Assoc. report dealing with governmental sovereignty and the scope of bargaining, public employee strikes, grievance arbitration in the public sector, equal opportunity laws, state labor law, and federal legislation affecting public employee bargaining.

788 "Right to Work Committee Issues Study on Union Security Provisions in State Laws." 1974-GERR-540: 2, B-2 to 5.

Public Employees covered by laws, provisions or executive orders which prohibit compulsory unionism in 32 states; 12 states have sanctioned union security.

789 Semas, P.W. "28 States Eye Legalizing Teacher Unions" with summaries by state. Chronicle of HigherEduc., 8 (22); 1, 6, March 4, 1974.

LEGISLATION - HAWAII

790 "Hawaii Businessman Suggests Restructuring of Bargaining." President of the State Chamber of Commerce feels that public employee unions are too strong. 1973-GERR-524: B-25.

LEGISLATION-MINNESOTA

791 "Minnesota Law Does Not Protect Dismissals Without Cause, PERB Holds." 1974-GERR-546: 1, B-1 to 2.

Minnesota's public employee law provides an aggrieved employee with a costly review, but no effective remedy, "unless it is otherwise provided by contract, ordinance, statute, or civil sevice rule."

LEGISLATION - RHODE ISLAND

792 "R. I. Teacher Groups Score Modified Bargaining Law." Proposal advanced was to allow teacher strikes with loss of pay for each day of a strike. Pres. of Warwick Teachers Union calls it vague, ambiguous and contradictory. 1974-GERR-527: B-13.

LEGISLATION - WASHINGTON

793 Full text of Wash. State law covering the right of academic employees to bargain collectively. Labor Relations Reporter, State Labor Laws, SL 58:243-244d.

LEGISLATION - WEST VIRGINIA

794 State code amended to permit spending of student fees at West Virginia Univ. to hire a lawyer who would have no authority and could only advise students in civil rights cases. Higher Educ. and National Affairs, 22(38): 5, October 19, 1973.

MATERNITY LEAVE

795 Cleveland Bd. of Ed. v LaFleur and Chesterfield Co. School Bd. v Cohen. Supreme Court rules that mandatory termination dates for pregnant teachers are violation of due process clause of 14th amend. since these dates are arbitrary. 6-FEP Cases-1253 to 1265, decided January 21, 1974.

796 "Supreme Court Finds Maternity Leave Provisions Unconstitutional." 1974-GERR-539: 1, B-7to9, Text, E-1 to 10.

797 "Wisconsin Approves Sick Leave Use for Maternity." 1974-GERR-538: B-16.

798 "Court Forbids Forced Leaves for Pregnancy." Chronicle of Higher Educ., 8 (17): 8, January 28, 1974.

Refers to Supreme Court decision.

799 Fields, C. M. "Maternity Leave Policies Proposed by U. S. Agency." Chronicle of Higher Education, 8(15): 4, January 14, 1974.

800 High Court Hears Arguments on Teacher Maternity Leave. Higher Education Daily, October 17, 1973, p. 4.

801 "Massachusetts: Maternity Leave Regulations." FEP Manual, 451: 560C to 560D.

802 "Pregnancy as Disability under Title VII." Labor Relations Reporter - Summary of Developments, p. 3, March 11, 1974.

MERGERS

803 "Connecticut, Hawaii Public Workers Unions Form Statewide Coalitions." 1974 - GERR - 540: B-22. Statewide CAPE units (Coalition of American Public Employees) also exist in Michigan, Iowa, Wisconsin and Maryland.

804 "NEA Breaks Off Merger Talks with AFT." 1974 - GERR - 544: 1, B-12 to 14.

805 Selden sees Merger as a Political Asset. Higher Educ. Daily, November 6, 1973, p. 4.

806 " 2 Teacher Organizations (NEA - AFT) End Merger Discussions" over AFL - CIO Affiliation. Chronicle of Higher Education, 8(23): 5, March 11, 1974.

807 "First AFT-NEA Merger Talks Set Procedure." 1973-GERR-524: B-23.

NEGOTIATIONS

808 Soltis, A. "CUNY Staff Talks at Critical Stage." N.Y. Post, July 18, 1973, 7:1.

NEUTRALS

809 "Call for Neutrals, Better Bargaining Expertise by NYPERB Chairman." 1973-GERR-529:1, B-14 to 17.

NLRB DECISIONS - CALIFORNIA

810 Semas, P. W. "Research Assistants 'Not Employees'." Chronicle of Higher Education, 9(9): 2, November 18, 1974. In a case involving Stanford University, the NLRB has ruled that graduate research assistants need not be included in collective bargaining.

NLRB DECISIONS - MAINE

811 Ricker College.
All full-time and regular part-time teaching faculty including Librarians shall vote for representation by American Federation of Teachers, or for no representation (May 10, 1974.)
Weekly Summary of NLRB Cases, W-1391-22, May 22, 1974. Decision 1-RC-13214.

NLRB DECISIONS - MASSACHUSETTS

812 Becker Junior College.
All full-time faculty, faculty trustees, and division chairmen (liberal and business studies) shall vote for representation by M.F.T. or for no agent (July 18, 1974.) Weekly Summary of NLRB Cases, W-1401:23, July 31, 1974. Decision 1-RC-13341.

NLRB DECISIONS - MASSACHUSETTS cont.

813 Graham Junior College, Inc.
All full-time teachers of the Schools of Liberal Arts, Business Administration and the School of Communications and the Assistant Librarian shall vote for representation by Massachusetts Federation of Teachers, or for no representation (March 7, 1974.) Weekly Summary of NLRB Cases, W-1382:41 March 20, 1974. Decision 1-RC-13135.

NLRB DECISIONS - NEW JERSEY

814 Monmouth College,
Bargaining unit includes professors, associate professors, asst. professors, librarians & instructors. NLRB Decision, Case No. 22-RM-334, February 12, 1971.

NLRB DECISIONS - NEW YORK

815 Mercy College.
Ballot that contained clear "X" in "Yes" box and faint "X" that had been heavily shaded over in "No" box is deemed a spoiled ballot that should not be counted, since markings in both squares make it impossible to ascertain voter's true intent with required degree of certainty (Case No. 2-RC-16181, August 16, 1974, 212-NLRB No. 134.) 87-LRRM-1116 to 18.

816 Trocaire College.
All full and part-time faculty and administration staff shall vote for representation by Staff Association or for no agent (July 18, 1974.) Weekly Summary of NLRB Cases, W-1401:23, July 31, 1974. Decision 3-RC-6042.

817 Semas, P. W. "Labor Board Alters Position: Segregates Part-time Faculty, Gives Law Professors Option." At N.Y.U., full and part time faculty are split into two units. At Syracuse Univ., Law Professors are separate and can reject collective bargaining even if rest of faculty favors it. Other professional school faculty probably have right. Chronicle of Higher Educ., 7(39): 1, July 30, 1973. (In bibliography 2, April, 1974 see references 632-3 for NLRB decision on N.Y.U., and 635 for Syracuse decision.)

818 "Student Clerks Barred From Bargaining Unit." Student workers at Barnard College lack a community of interest with other employees. Chronicle of Higher Educ., 7(39): 1, July 30, 1973. (In bibliography 2, April, 1974 see reference 623 for Barnard NLRB decision.)

NLRB DECISIONS - OHIO

819 Oberlin College.
Decision outlines all catagories of full and part-time teaching personnel who shall vote for representation by Oberlin College Teachers Association, or for no representation (March 29, 1974.) Weekly Summary of NLRB Cases, W-1386:33, April 17, 1974. Decision 8-RC-9328.

820 Ashland College.
Bargaining unit includes full-time professors, associate & assistant professors, instructors; excluding dept. heads, part-time faculty, division heads, librarians, admin. staff, seminary teaching faculty, guards, supervisors, etc. NLRB Case No. 8-RC-8559, May 16, 1972.

NLRB DECISIONS - PENNSYLVANIA

821 Point Park College and AAUP.
Unit of College's full-time faculty members shall not include Department Chairman, since, in exercise of their responsibilities, these Chairmen perform duties normally performed by Supervisors within meaning of LMRA-Unit shall also not include the Director of the Library (Case No. 6-RC-6444, April 4, 1974, 209 NLRB No. 152.) 85-LRRM-1542-45. Also see Weekly Summary of NLRB Cases, W-1385:18-19, April 10, 1974.

NLRB DECISIONS - SOUTH CAROLINA

822 Coker College.
All full-time faculty members including the Librarian, Resident Counselors and Assistant to the Dean of Students shall vote for representation by Faculty Association, or for no representation (June 28, 1974.)
Weekly Summary of NLRB Cases, W-1398:39, July 10, 1974. Decision 11-RC-3908.

NLRB DECISIONS - VIRGINIA

823 Marymount College of Virginia.
All full-time and regular part-time faculty and professional employees shall vote for representation by Faculty Association/Marymount College of Virginia Faculty Senate, or for no representation (July 9, 1974.)
Weekly Summary of NLRB Cases, W-1400:16, July 24, 1974. Decision 5-RC-8944.

NLRB DECISIONS - WASHINGTON, D. C.

824 Howard University.
A Board majority was persuaded that Howard enjoys a unique relationship with the Federal Government unmatched by any other university to which the Boards discretionary jurisdictional yardsticks apply. Further, because of that relationship, effective use of the Bargaining Process by the University and its employees in the manner and for purposes contemplated by the Act would entail involvement of many Federal Agencies -- entities over which the Board has no jurisdiction. The majority believed it inappropriate to assert jurisdiction over the University and dismissed the petition of Teamsters Local (June 10, 1974.) Weekly Summary of NLRB Cases, W-1395:38-39, June 19, 1974. Decision 5-RC-8757:211 NLRB No. 11.

PENSION PLANS

825 "Dartmouth Initiates New Retirement Plan." Trustees approve new flexible retirement option. Higher Educ. and National Affairs, 23(2): 5, January 11, 1974.

826 "Pension Plans Show Marked Growth in Five-year Period." 1974-GERR-538: B-16 to 17.
The Report is entitled, "Employee Retirement Systems of State and Local Governments," 1972 Census of Government, Vol. 6, No. 1. Government Printing Office, Washington, D. C. 20402, $1.25.

PERB DECISIONS - HAWAII

827 "HPERB Asks Employers and Unions to Rethink Job Classes Originally Excluded from Units." 1974 - GERR - 540: 2, B-5 to 7.

Includes U. of Hawaii. (State of Hawaii & HGEA, AFSCME; HPERB, Case Nos. RA-03-8, RA-13-9, Decision No. 40, December 28, 1973.)

PERB DECISIONS - ILLINOIS

828 City Colleges of Chicago.
Bargaining unit includes full-time faculty; excluding admin., deans. Board of Junior College opinion of counsel dated 8/22/66; Board's determination of unit dated 9/26/66; Election held 10/10/66; Board's recognition 10/11/66. (Historical notes in faculty contract.)

829 Morton College.
Board of Education directive of election for bargaining unit of faculty teaching (6) or more semester hours. Board of Education minutes, May 8, 1967 of J. Sterling Morton High School & Junior College, 14 p. Copy available from this Center, or Appendices A-C of 1971-73 faculty contract.

PERB DECISIONS - MICHIGAN

830 Macomb County Community College.
Bargaining unit includes full-time teachers, counselors, librarians, research assts.; excluding admin., deans, directors, coordinators, dept. chairmen, nurses, supervisors, part-time faculty. State of Michigan Labor Mediation Board, Case No. R66-K-421, January 11, 1967.

PERB DECISIONS - MINNESOTA

831 Minnesota State College Board, and Inter-Faculty Organization and M.F.T., M.E.A., A.A.U.P.
Majority of Minnesota Public Employment Relations Board rules that separate units of faculty members at each of State's seven colleges is appropriate. (PERB Case Nos. 72-PR-180A, 73-PR-414-A, 73-PR-431-A, April 8, 1974.) 1974-GERR-556:B-12-15.

832 University of Minnesota, Board of Regents and University Federation of Teachers.
Bureau denies certification for unit composed of all graduate assistants enrolled in graduate school following election in which 827 ballots were cast for no representation, 409 for union, and 9 ballots were void. (Case No. 74-PR-570-A, April 26, 1974.) 1974-GERR-564:C-5.

833 Kellog Community College and Kellog Faculty Association.
MERC certifies Association as representative of all employees employed as Media Production Specialist and/or Clinical Assistants by vote of 2 to 1. (Decision No. R73 H-354, August 27, 1974.) 1974-GERR-574:C-1,2.

PERB DECISIONS - NEW JERSEY

834 Essex County College. "PERC Excludes Department Chairmen From Faculty Unit." 1973-GERR-524: 2, B-9 to 11. PERC Docket No. CU-66, July 27, 1973.

835 "Rutgers University Issues Digest of PERC Decisions." 1973-GERR- 534: B-17. Digest includes decisions from April 9, 1969 to January 9, 1973. Order from IMLR Library, Rutgers University, Ryders Lane and Clifton Ave., New Brunswick, N. J. $2.00. See decisions below.

836 Middlesex County College.
Bargaining unit determined; excluding dept. chairmen, directors, admin., and supervisors. NJ - PERC - 29.

837 New Jersey State College System.
Separate bargaining units recommended for colleges. NJ - PERC-1.

Above overruled. A single unit to include all eight state colleges. NJ - PERC-72.

PERB DECISIONS - NY

838 Broome Community College.
Bargaining unit includes counselors, librarians, professors and divisional dept. chairmen. County of Broome, NY, Resolution 117, 1969.

839 CUNY, College Workers Association V.
OCB rules that student aides at CUNY are not "Public Employees." The NLRB has found that student employees lacked a sufficient community of interest with other employees and could not be included in a bargaining unit. 1974 - GERR - 547: 1, B-11 to 12. (NYC Office of Collective Bargaining Decision No. 7-74, Docket Nos. RU-398-73, RU-399-73, February 4, 1974.)

840 Nassau Community College.
Bargaining unit determined. County of Nassau, NY-PERB, Decision dated November 26, 1968.

Unit excludes department chairmen. County of Nassau, NY - PERB, Decision January, 1972.

841 Westchester Community College.
Bargaining unit includes full and part-time faculty & professionals; excludes admin., deans, division chairmen. Westchester County, NY - PERB, Case No. 003-68, March 14, 1969.

PERB DECISIONS - NEW YORK (Cont.)

842 SUNY and CSEA and Senate Professional Association and AAUP. Finding no basis on which to reverse earlier ruling, Board rejects CSEA's bid to carve out separate unit for non-academic professions from established state-wide unit of academic and non-academic professionals represented by Senate Professional Association. (Case No. C-0991, January 21, 1974.) 1974-GERR-559:C-4.

PERB DECISIONS - PENNSYLVANIA

843 Community College of Philadelphia.
Upon joint request of parties, Faculty Federation (AFT) is certified as representative of assistants and associates on faculty. (Case No. PERA-R-4294-E, January 31, 1974.) 1974-GERR-550:C-8.

844 Delaware County Community College.
Board certifies Delaware County Community College Association of Higher Education PSEA/NEA, as representative of all full-time faculty members, librarians, and counselors following election. (Case No. PERA--4130-E, April 22, 1974.) 1974-GERR-559:C-5.

845 Lehigh County Community College.
Parties agree and Board orders and directs modification of certifications for bargaining unit. Unit appropriate for bargaining is subdivision of employer unit comprised of teaching faculty, guidance and other counselors, librarians, and student activities director. (Case Nos. PERA-U-3359-C and PERA-R-228-C, August 1, 1974.) 1974-GERR-574:C-4.

846 Community College of Beaver County.
Bargaining unit includes faculty, counselors, librarians and co-ordinators. Pennsylvania Labor Relations Board, Case No. PERA-R-1070-W, June 11, 1971.

847 Lehigh County Community College.
Bargaining unit includes teaching faculty, guidance counselors, librarians, student activity coordinator; excluding admin., deans, directors, chairmen. Election 12/1/70. Pennsylvania Labor Relations Board, Case No. PERA - R - 228 - C, December 3, 1970.

848 Pennsylvania State College & University System.
Unit determination. Union represents department chairmen, full-time teaching faculty (including librarians with faculty status), part-time faculty and librarians without faculty status. Penn. Labor Relations Board, Case No. PERA-R-775-C.

PERB DECISIONS - PENNSYLVANIA cont.

849 Luzerne County Community College.
On basis of substantial changes in duties and functions, Board rules that Department Chairmen at Luzerne County Community College no longer qualify as supervisory employees and now should be included in unit of professional employees represented by Luzerne County Community College Association of Higher Education.
(Case No. PERA-U-3614-C, January 25, 1974.)
1974-GERR-564:C-7.

850 Williamsport Area Community College.
Williamsport Area Community College Education Association is retained as representative of unit composed of full-time teaching faculty, counselors, librarians, following election in which 111 ballots were cast for Association, 21 against. (Case No. PERA-D-3509-C, October 3, 1973.) 1974-GERR-550:C-7.

851 Reading Area Community College.
Board certifies Pa. Fed. of Teachers (AFT) as the representative of full-time faculty. (No. PERA - R - 111 - C, November 29, 1973). 1974 - GERR - 546: C-7.

852 University of Pittsburgh (Johnstown Campus) Teachers Assoc.
Denial of unit petition for local campus unit of full-time faculty, library-aides, and counselors. Board's position is an employer-wide unit. Pennsylvania Labor Relations Board, Case No. PERA - R - 2626-C, July 11, 1973. (Summarized in 1974 - GERR - 546: C-4 to 5.

853 Westmoreland County Community College.
Bargaining unit includes all full-time professionals as dept. chairmen and librarians; excluding admin, deans, directors and supervisors. Pennsylvania Labor Relations Board, Case No. PERA-R-2112-W.

PERB DECISIONS - RHODE ISLAND

854 Rhode Island Junior College.
Bargaining unit determined. Rhode Island Labor Relations Board, Case EE No. 1984.

845 University of Rhode Island.
Bargaining unit determination. Rhode Island State Labor Relations Board, Case EE, No. 1961, December 21, 1971.

PERB DECISIONS - VERMONT

856 Vermont State Colleges, American Federation of Teachers v. Vermont State College did not improperly interfere with formation of unit to represent non-teaching employees by ordering AFT organizers to stop distributing meeting notices on desk-to-desk basis to on job employees, Vermont Employees Relations Board holds. (Docket No. 74-2, March 8, 1974.) 1974-GERR-551:B-2-4.

PERB DECISIONS - WISCONSIN

857 Milwaukee Area Technical College and AFT. WERC Rules that a "fair share" or agency shop contract vote is valid when only a majority of those voting and not a majority of those eligible to vote favor it. 1973-GERR- 535:1, B-1 to 4. (WERC case 29, No. 17118 MR (I)-22; decision No. 12121-A, October 16, 1973).

858 Milwaukee Area Technical College. Bargaining unit includes full-time faculty with at least 50% workload; excludes part-time faculty, supervisors, Deans, etc. Wisconsin Employment Relations Board, Case 1, No. 8584 ME-58, Decision No. 6343.

PERFORMANCE EVALUATION

859 Burkhart, R. C., ed. The Assessment Revolution: New Viewpoints for Teacher Evaluation. Albany, State Education Department, 1970.

860 Cope, R. G. Tomorrow's Imperatives Today. Assoc. for Institutional Research, Miller Hall, U. of Washington, Seattle, Wash. 98195. $8.00.

Conference proceedings on college management, financing, faculty evaluation, student assessment.

861 Miller, R. I. Developing Programs for Faculty Evaluation. Jossey-Bass, 615 Montgomery St., San Francisco, Ca. 94111. $9.75.

Presents guidelines for a system of evaluation, validity of student evaluation.

862 "Stanford Faculty Votes To Strengthen Teaching." Chronicle of Higher Education, 8(13): 2, December 17, 1973.

Resolution indicates evaluation prior to reappointment, promotion or salary increase.

PERFORMANCE EVALUATION (Cont.)

863 Centra, J. A. and Menges, R. J., two letters to the editor and author's reply regarding Miriam Rodin's article, "Can Students Evaluate Good Teaching " in the Summer, 1973 issue. Change, 5(8): 7, October, 1973.

864 Westervelt, E. M. Letter to the editor regarding Miriam Rodin's report "Can Students Evaluate Good Teaching"in Summer, 1973 issue. Change, 5(10): 8, Winter, 1973-74.

PERSONNEL FILES

865 Benewitz, M. C. "Contract Requirements in Higher Education and Reality: A Note on the Creation of Conflict. Available from this Center, 11 pp.
Conflict arises over the duplicity of personnel files in various college offices.

PRODUCTIVITY

866 "Commission Surveys Local Government Incentive Plans.". 1974 - GERR - 542: B-15.

867 "Cost of Living Council Activity." Labor Relations Reporter - News & Background Infor., 85: 207-208.

New Productivity office is established.

PUBLIC SECTOR LABOR RELATIONS

868 "IAFF Pulls out of CAPE: AFL-CIO Sets Unit to Settle Public Sector Disputes." 1974 - GERR - 543: 1, B-13 to 16.

AFL-CIO sets up committee to handle jurisdictional disputes among public employee unions, including charges by AFT.

869 Public Workers' Collective Bargaining to Bring "Chaos, Insurrection," says Business. Higher Education Daily, November 14, 1973, p. 4.

870 "Regional Employment Projections, 1970 - 85." Labor Relations Reporter - News & Background Info., 85: 232-234. Indicates that government workers to increase rapidly.

PUBLIC SECTOR LABOR RELATIONS (Cont.)

871 "ACLU's D. C. Chapter Issues 'Bill of Rights' for Public Employees." 1974-GERR-539: 2, B-2 to 3. Includes right to due process, right to strike, etc.

872 "Wisconsin Legislature Gets Blame for Public Employee Labor Troubles." 1973-GERR-534: B-14.

RETIREMENT

873 Woodring, P. "When Should a Professor Retire?" Chronicle of Higher Educ., 8(12): 24, December 10, 1973. The academic world should provide for a gradual instead of an abrupt process.

874 Gould, S. L. "Phased Retirement for Faculty. Members Could Produce Capable, Highly Motivated, Innovative Teaching." Chronicle of Higher Education, 8(17): 17, January 28, 1974. Letter to the Editor.

875 "Retirement Benefits: Can Sex Be Ignored." NACUBO - The College & University Business Officer, 7(4): 4, October, 1973.

Review of article in TIAA - CREF's The Participant (July 1973) entitled "Retirement Benefits for Men and Women."

RETRENCHMENT

876 "Antioch College Reduces Faculty by 23.5 Places." Higher Education and National Affairs, 23(1): 6, January 4, 1974.

877 Semas, P. W. "Faculty in NJ Asks AAUP to Withold Critical (Censure) Report" on Bloomfield College which abolished tenure and fired 11 tenured faculty members. Chronicle of Higher Education, 8(24): 2, March 18, 1974.

878 Semas, P. W. "Southern Illinois Fires 104, (including tenured faculty) Acts to Bar Appeals." Chronicle of Higher Education, 8(15): 1, 8, January 14, 1974.

879 Antioch Cuts Faculty. Higher Education Daily, December 20, 1973, p. 5.

880 Educator Advises on Faculty Dismissal Laws. Higher Educ. Daily, November 15, 1973, p. 3.

881 Faculty Development in a Time of Retrenchment, by the Group for Human Development in Higher Educ. Order from Change Magazine, NBW Tower, New Rochelle, NY 10801. 90p. 1974. $2.95 (for 10 or more copies $1.95 each).

Covers such topics as faculty professional development, reforms, training,performance evaluation, grants for teaching, mid-career transitions.

882 "St. Edward's U. Dropped 11 Faculty Members," letter to the editor on P. W. Semas' article, "Faculty Firings Soar..." in January 28, 1974 issue. Chronicle of Higher Education, 8(21): 10, February 25, 1974.

883 Scully, M. G. "Department Heads Feel 'Crossfire' as Institutions Trim Faculties." Chronicle of Higher Educ., 8(15): 1, 8, January 14, 1974.

884 Scully, M. G. "Improve Teaching Prevent Stagnation, Group Urges," report on Faculty Development in a Time of Retrenchment. Chronicle of Higher Education, 8(24): 1, 6, March 18, 1974.

885 Semas, P. W. "Faculty Firings Soar As Slump Hits Enrollment." Chronicle of Higher Education, 8(17): 1, 3, January 28, 1974.

Univ. of Wisconsin - Laidoff 88 tenured faculty, Southern Illinois Univ. - 104 faculty and staff (28 tenured); State Colleges in Nebraska - 50;Indiana State U. - 73;Univ. at Riverside - 20; Antioch College - 33 (4 had tenure); St. Edward's U. in Texas - 20; LaVerne College in Calif. - 7; De Paul Univ. - 2 psychology prof.'s; Bloomfield - abolished tenure and dropped 13 (11 of them tenured).

SABBATICAL LEAVES

886 Semas, P. W. "Catching on in Europe: 'Workers' Sabbaticals Eyed as Key to Lifelong Education." Chronicle of Higher Education, 8(24): 1, 2, March 18, 1974.

887 "Teachers' Right to Contracts' Sabbatical Leave Provisions Affirmed." 1974 - GERR - 544: 1, B-3 to 5.

Ruling by NYS Court of Appeals affirms arbitrator in Huntington, NY schools, reverse lower court ruling.

SALARIES

888 "California Official Discusses Impact of Economic Stabilization." 1974 - GERR - 546: B-14 to 15.

One argument advanced to oppose setting of public employees' salaries via collective bargaining is the ability to make use of rational non adversary means of establishing pay.

889 "Faculty Pay Issues Examined." NACUBO - The College & University Business Officer, 7(7): 4, January, 1974.

Wage and Hour Div. of Dept. of Labor tries to resolve how salary scales should be arrived at, particularly with respect to faculty.

890 "Faculty Rank, Highest Degree Earned, and Mean Salary Data." Volume III of Higher Educ. Planning Statistics 1969. Albany, State Education Dept., 1970.

891 Katz, D. A. "Faculty Salaries, Promotions, and Productivity at a Large University." The American Economic Review, 63(3): 469-477, June, 1973.

SALARIES cont.

892 Lynn, R. A. "Professors aren't keeping up with inflation because of the impact of income taxes." Letter to the Editor relating to salary article in February 4, 1974 issue. Chronicle of Higher Educ., 8(23): 10, March 11, 1974.

893 Magarrell, J. "Inflation Blurs Budget Outlook On Campuses." Chronicle of Higher Educ., 8(18): 1, 7, February 4, 1974.

With over half the budget assigned to salaries, and cost of living increase of 8.8% in 1973, there will be greater pressure for salary increases in 1974.

894 Major Effort Needed to Boost Female/Minority Faculty Rates, Says Carnegie Comm. Report. Higher Education Daily, October 5, 1973, p. 2.

895 "Nebraska's Faculty Pay Reported Less Than Laborers'." Chronicle of Higher Educ., 8(22): 6, March 4, 1974.

896 "Wage and Salary Manual for Small Institutions To Be Published Soon." NACUBO - The College & Univ. Business Officer, 7(7): 7, January, 1974.

897 "Wage Controls Lifted for Private Coleges." Chronicle of Higher Educ. 8(18): 7, February 4, 1974.

Eliminated the 5.5 percent ceiling on wage increases. State, public colleges still covered.

STRIKE RIGHTS

898 "Michigan Lawmakers Favor Legalizing Teacher Strikes." 1974 - GERR - 540: B-23.

899 Thompson Urges Teachers Right to Strike. Higher Education Daily, November 30, 1973, p. 1.

900 "Teachers Right to Strike Scored by NAPE President." He calls strikes counterproductive.1973-GERR-524: B-24.

901 "Usery Sees Need for Strike Safety Valve". 1973-GERR-524: B-24. Calls for liberal use of mediators, arbitrators. Limited right to strike legislation for public employees might be one solution.

STRIKES

902 "NEA Report Shows 143 Teacher Strikes In 1972 - 73 School Year." 1974 - GERR - 541: 2, D-1 to 3.

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Academic Collective Bargaining Information Service (ACBIS) 1818 R Street, N. W., Washington, D. C. 20009 - (202) 387-3760 - Publisher fact sheets and research reports.

American Arbitration Association (AAA) - 140 West 51st Street, New York, New York 10020 (212) JU 2-6620.

Publishes Arbitration Journal and Arbitration in the Schools. Arbitration Awards available at 30¢ per page - give citation and AAA Case Number from bibliography.

American Association of University Professors (AAUP) 1 Dupont Circle, N. W. Suite 500, Washington, D. C. 20036 (202) 466-8050.

Publishes AAUP Bulletin.

American Federation of Teachers (AFT-AFL/CIO) - 1012 14th Street, N. W., Room 505, Washington, D. C. 20005 (202) 737-6141 - Robert Nelson, Director of Higher Education Information - Publishes American Teacher and numerous other publications.

Bureau of National Affairs (BNA) - 1231 25th Street, Washington, D. C. 20037 - (202) 223-3500 - Publishes GERR, Labor Relations Reporter, (FEP Cases, LA, LRR, LRRM, WH Cases.)

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NACUBO, The College & Univ. Business Officer, 1 Dupont Circle, N. W., Washington, D. C. 20036.

National Education Association (NEA), 1201 16th Street, N. W., Washington, D. C. 20036. Higher Education Department - (202) 833-4260.

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National Labor Relations Board (NLRB), Division of Information , 1717 Pennsylvania Ave., N.W., Room 710, Washington, D. C. 20570 - (202) 254-9131.

Public Employment Relations Boards (PERB)
Order publication: A Directory of Public Employment Relations Boards and Agencies, most recent edition with update.

U. S. Dept. of Labor, Labor Mgmt. Services Admin. Division of Public Employee Labor Relations, Washington, D. C. 20210.

Student Collective Bargaining Project Office - Alan Shark, 1730 Rhode Island Ave., N.W., Suite 500 Washington, D. C. 20036 - (202) 785-2322.

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3. Bibliography - Collective Bargaining in Higher Education with keyword index. Includes references published in Center's Newsletters and citations from Proceedings of Center's Annual Conference.
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